

MINUTES OF THE REGULAR MEETING OF
THE BOARD OF DIRECTORS OF THE
CITY OF SILOAM SPRINGS, BENTON COUNTY,
ARKANSAS, HELD OCTOBER 4, 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 October 4, 2016.

The Meeting was called to order by Mayor Turner.

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

Phillip Patterson, City Administrator; Jay Williams, City Attorney; Renea Ellis, City Clerk; Jeremy Criner, Fire Chief; Jim Wilmeth, Police Chief; Geoff Lewis, Police Deputy Chief; Don Clark, Community Services Director; Justin Bland, City Engineer; present.

Opening prayer was led by Steve Beers.

Mayor John Turner led the Pledge of Allegiance.

A copy of the September 20, 2016 minutes of the regular meeting had previously been given to each Director. A Motion was made by Smiley and seconded by Johnson to accept the minutes. Mayor called for a voice vote. Motion passed unanimously.

The first agenda item was the Open Hearing for Citizens Present.

Bob Highfill, 340 Primrose, stated that the City should do away with merit raises; if an employee isn't worth what they're being paid, get rid of them. He stated that people that deserve it and should get a 5% raise across the board. He also said he thinks the speed table in front of the Library needs revised due to cars scraping away the street.

The next item on the agenda: Presentations / Life Saver Awards.

Discussion: Jim Wilmeth, Police Chief, briefed the item. Mayor and City Administrator presented awards to Crystal Wright, Lieutenant Derek Spicer, and Lieutenant Scott Miller.

The next item on the agenda: Presentations / Dog Park Action Committee.

Discussion: Renae Sasnett, Dog Park Action Committee Member, briefed the item, along with Ken Krafft. She said the City received a \$50,000 matching grant. She said they are asking the City to donate \$50,000 towards the Dog Park. She said with the matching grant, they are required to spend \$100,000 in order to receive the \$50,000 from the grant. She stated Simmons will donate up to \$150,000 to this park. Johnson asked who is buying the property. Sasnett said Simmons will purchase the property and then will donate it to the City. Johnson asked. Sasnett said, including with the purchase of the property, \$300,000. Johnson asked if such an elaborate design is necessary, and if it can be downgraded in attempts to lower cost. Sasnett said it could be downgraded some, but they want it to be pleasing to visitors. She said fencing cannot be reduced, which is \$100,000. Johnson asked if money is raised, will there still be a request to the City for funding. Sasnett answered no; but would like the City to do some in-kind work, if possible. Burns said he doesn't want amenities cut. He asked if the goal is 2017. Sasnett answered yes, Spring of 2017. Smiley clarified the grant has a two year expiration date. She asked how much has been raised in fundraising. Sasnett stated there is \$2,000 in the bank right now. Sasnett went on to say Simmons is asking customers and vendors

within the pet food company for donations. Smiley expressed her appreciation for Simmons involvement. She stated at the previous presentation, no funds were requested from the City. Sasnett stated they were not asking at that time; they were hoping to get \$150,000 in grant funding. Smiley asked if \$150,000 is not raised, will Simmons still match the amount. Sasnett said it is unknown, but the Simmons family is behind the project. She said they will get the money needing for this project. Smiley asked what they are looking for in regards to in-kind work. Ken Krafft, Dog Park Action Committee Member, said it could be dirt work, help with fencing, labor, etc. He stated some vendors said they could reduce their price in return for a donation certificate. Beers said it is amazing that citizens are raising money for a park for everyone to use. He thanked them for the work they're doing. He said one of the things a construction project can have is value engineering, or there could be phasing. He asked if they have looked at ways to phase this in for earlier usage. Krafft said the fencing is Phase I for off-leash. He said, in working with the Parks and Recreation department, wanting to minimize the amount of work they have to do on this, the cement below fence sets the park off and eliminates weed-eating. He then said the Administrator for the grant wants to see moving parts soon, which is why there is a push to get this on the 2017 budget. Smith asked if it's known what the City would've matched in in-kind work. Phillip Patterson, City Administrator, said it was never determined. He said they have looked at the timeline with the other projects in the schedule. Cavness asked if the property has been purchased yet. Sasnett said the property has not been purchased yet; they ran into an issue getting it surveyed and appraised. Cavness asked if it's possible to run into a problem with the property owners wanting more money than offered. Sasnett said they have expressed willingness to sell, but they did not know a value of the land, which is why they are waiting for the survey and appraisal. Coleman asked when the clock started. Sasnett said it started on February 8, 2016 making its deadline in 2018. Coleman asked what started the clock. Sasnett stated the grant approval. She said she has been in contact with Parks and Tourism in Little Rock, and they said the end date is flexible if progress is being made. Coleman asked if there's no room in the 2017 budget, can the 2018 budget be considered. Sasnett said they'd like to see it start sooner than later but that was a possibility. Mayor asked if the Felts family has been approached about donating the land. Sasnett said, with the grant, the land must be purchased and cannot be leased; not sure about if the land is donated. Smiley clarified this is only a presentation, and not something they're voting on. Krafft said they have approached the Felts family, and they initially wanted to lease the property, and they do not want to donate. Burns asked the City Administrator to try and fit the \$100,000 in the 2017 budget, knowing the City will receive \$50,000 back. Smiley thanked Sasnett for her determination.

The next item on the agenda: 2016 Affidavit for Destruction.

Discussion: Renea Ellis, City Clerk, briefed the item. A Motion to approve the 2016 Affidavit for Destruction was made by Beers and seconded by Smiley.

Roll Call:

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

7 Ayes. No Nays. Motion passed.

The next item on the agenda: Budget Amendment / Mt. Olive Street Diet / Community Services / \$80,000.00.

Discussion: Justin Bland, City Engineer, briefed the item. Bob Highfill, 340 Primrose, stated no one he has spoken to about this is pleased with the reduction; it's created a hazard instead of improvement. Smiley asked if thermoplastic included in the requested amount. Bland answered yes. Burns asked if the sidewalks will be the same level, or if there will be an overlay. Bland said they will feather down, but all the concrete will stay. Burn said people comment about how narrow it is, but we all should get accustomed to it over time. He said he isn't pleased being \$86,000 short on a

project this size, and the \$60,000+ for landscaping. He said he is struggling with it being over budget by almost \$100,000. Bland said these improvements were not included when originally budgeted. Mayor asked if the Board was aware the landscaping cost was not involved in the original approval. Bland said that is correct. Phillip Patterson, City Administrator, confirmed that a discussion was had weighing other options besides grass due to maintenance; that the majority of the \$86,000 is related to not putting down grass, but executing a better landscaping plan. Bland said yes, that is correct. Cavness expressed his concerns with the funding coming from the Library project. Johnson asked if the overlay will be done by the end of the month. Don Clark, Community Services Director, answered yes. Johnson asked if the thermoplastic is slippery, and if it's something we have to worry about in the future. Clark said that is not the case. Beers said one of the reasons for the road diet was for safety in speeding. Bland said the narrowing slows speeds, and is more pedestrian friendly. Smith thanked them for considering native vegetation and understands it's more costly upfront, but it saves in water and fertilizer later. Coleman said he thinks it feels unsafe because the cones are a hindrance. Patterson said the Library came in under budget. There was money set aside from the hospital sale funds to build the Library. He said that total today is \$75,000 and isn't earmarked for Library improvements. He said the funding is available for other uses. He said there is other funding for Medical Springs Park. Smiley echoed Coleman's thoughts regarding the road hazards. A Motion to approve the budget amendment in the amount of \$86,000 for the Mt. Olive Street Diet to accommodate landscaping costs was made by Smiley and seconded by Coleman. Burns asked if cost saving is possible. He said the Native stone for this area limestone, and asked if we can use surplus stone from other projects and possibly save money and stay Native. Bland said yes; they originally went with brown rock because there is a lot of brown brick downtown, but will look into using limestone.

Roll Call:

Beers, Smith, Cavness, Coleman, Johnson, Smiley, Burns –Aye.
7 Ayes. No Nays. Motion passed.

The next item on the agenda: 3rd Reading / Ordinance 16-12 / Amend Section 74 of the City Municipal Code / Establish Rental Rates for Sager Creek Soccer Complex.

Discussion: Don Clark, Community Services Director, briefed the item. A Motion to Place Ordinance 16-12 / Amend Chapter 74 of the City Municipal Code / Establish Rental Rates for Sager Creek Soccer Complex on its third reading, suspending the rules and reading title only, was made by Smiley and seconded by Burns.

Roll Call:

Smith, Cavness, Coleman, Johnson, Smiley, Burns, Beers –Aye.
7 Ayes. No Nays. Motion passed.

An Ordinance entitled:

**AN ORDINANCE PROVIDING RENTAL RATES FOR THE SAGER CREEK SOCCER
COMPLEX LOCATED AT 608 SUE ANGLIN DRIVE.**

Was read on its third reading.

A Motion to Adopt Ordinance 16-12 was then made by Smiley and seconded by Cavness.

Roll Call:

Cavness, Coleman, Johnson, Smiley, Burns, Beers, Smith –Aye.
7 Ayes. No Nays. Motion passed.

The next item on the agenda: 1st Reading / Ordinance 16-14 / Amend Section 102-21 of the City Municipal Code / Rezone R-2 to G-I / 1405 W. Jefferson St.

Discussion: Don Clark, Community Services Director, briefed the item. A Motion to Place Ordinance 16-14 / Amend Section 102-21 of the City Municipal Code / Rezone R-2 to G-I / 1405 W. Jefferson St. on its first reading, suspending the rules and reading title only, was made by Johnson and seconded by Smith.

Roll Call:

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

7 Ayes. No Nays. Motion passed.

An Ordinance entitled:

AN ORDINANCE AMENDING SECTION 102-21 OF THE SILOAM SPRINGS MUNICIPAL CODE (CITY ZONING MAP); REZONING (FROM R-2 TO G-I) THE PROPERTY LOCATED AT 1405 WEST JEFFERSON STREET.

Was read on its first reading.

The next item on the agenda: 1st Reading / Ordinance 16-15 / Amend Section 102-21 of the City Municipal Code / Rezone R-4 to C-2 / 3300 Block of Highway 412 East.

Discussion: Don Clark, Community Services Director, briefed the item. A Motion to Place Ordinance 16-15 / Amend Section 102-21 of the City Municipal Code / Rezone R-4 to C-2 / 3300 Block of Highway 412 East on its first reading, suspending the rules and reading title only, was made by Burns and seconded by Smiley.

Roll Call:

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

7 Ayes. No Nays. Motion passed.

An Ordinance entitled:

AN ORDINANCE AMENDING SECTION 102-21 OF THE SILOAM SPRINGS MUNICIPAL CODE (CITY ZONING MAP); REZONING (FROM R-4 TO C-2) THE PROPERTY LOCATED AT THE 3300 BLOCK OF U.S. HWY. 412 EAST.

Was read on its first reading.

The next item on the agenda: Resolution 33-16 / Significant Development Permit / Nottingham Apartments / 2200 E. Little John St., 2220 E. Sherwood St., and 2225 E. Sherwood St.

Discussion: Don Clark, Community Services Director, briefed the item. Jeff Stewart, 1803 Dawn Hill, stated he is in favor of this project, and then went over his reasoning. He stated Krein is a superior neighbor. Pam Sled, 14441 Country Club, stated she wasn't sure the reason to have Boards if criteria is the all that needs to be met. She stated this density is too much for the area, and will make a significant change. She went over the different nuisances this building will bring, and then went over reasons they moved to that area. She stated there is no apartment building this size nor has there ever been, and suggested looking over rezoning regulations. Cheryl Whalen, 3507A North Robin Court, stated this hit the minimum zoning requirements, but hit the maximum allowable unit density. She stated accessing Country Club Road is the issue. She went over several issues including poor visibility when accessing the road, child safety, and lack of greenspace. Roy Drake, 21751 Davidson Road, stated property value will go down due to noise, light, and run-off pollution. He

stated he finds it ludicrous that the memo stated no one's property will be adversely affected. Jim Krein, 1907 North Mesa Court, gave a brief history of the subdivision. He stated this project has taken semis off the road. He stated property owners purchased their homes after it was a light industrial area. He stated the previous property owner sent letters to everyone regarding the rezoning, and received zero push-back. He stated he would rather encounter other families than anything industrial. He then gave a brief family history. He stated they are spending extra money to help the building fit in. He stated they manage their tenants well, and run full background checks on everyone above 18. He said this falls within zoning requirements and meets or exceeds City guidelines. Roger Holroyd, 16728 Old Highway 68, stated more multifamily housing is needed; very low vacancy rate in the City. Jeff Farmer, 21923 Davidson Road, expressed his concerns about drainage and pointed out this area already has a flooding issue. Burns said he met with residents and discussed their concerns. He said the drainage needs to be addressed. He said he is a proponent of annexation. He then said apartment complexes are needed as the City is continuing to grow. Justin Bland, City Engineer, addressed the drainage issues and went over the detention details. Beers asked if detention can be increased. Bland answered yes, and then showed proposed detention ponds. Burns asked if the City maintained original pond. Bland answered dyes. Burns said it is not maintained well; would like it looked into. Bland explained the purpose of the detention pond. Burns asked if permeable asphalt would work. Bland said it's an option, but depends on how the land perks. Beers asked about the playground issue and child safety. Krein said that children could play around the ponds and areas to the east. He said they are looking to put some benches and covered seating areas out there. Beers encouraged him to look at playgrounds. Krein said they plan on putting a fence around the property, and will look at ways to make it more kid friendly. A Motion to recess was made by Cavness, then failed due to lack of a second. A Motion to approve Resolution 33-16, authorizing a Significant Development Permit for 2200 E. Little John St., 2220 E. Sherwood St., and 2225 E. Sherwood St., subject to staff conditions was made by Smiley and seconded by Coleman.

Roll Call:

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

7 Ayes. No Nays. Motion passed.

A Motion to recess was made by Smiley and seconded by Cavness.

After a brief recess, the meeting reconvened.

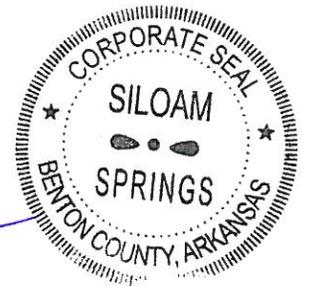
Administrator's Report: Phillip Patterson, City Administrator, reported an expenditure in the Maintenance Department for two tool boxes and two sets of tools in the amount of \$42,022.26. He reported a family member of the supervisor in Animal Services was hired. He stated the Sidewalk Master Plan was presented a couple of weeks ago. He said the Public Feedback Meeting is scheduled for October 25 from 5pm-6:30pm at the Library. He said the plans for the development of the splash pad and amphitheater around the Library was presented at a previous workshop. He announced the project has been awarded a \$300,000 grant for the design cost from the Design Excellence Program by the Walton Family Foundation. He stated they will start interviewing vendors shortly. He said he may propose using staff and a Board member to choose and interview vendors. He said \$20,000 of the grant funds is set aside for vendor travel costs. He thanked the Walton Family Foundation for inviting the City to participate in the competition.

Open Hearing of Directors: Mayor reminded everyone that Pickin' on 59 is this weekend. He also reminded everyone of the City-wide cleanup starting the week of October 24th and that staff would only pick up on the one day your service is scheduled. He expressed his appreciation of the Board's dialogue this meeting. He said no one likes change and if you want country living, don't move to the

edge of City limits. Burns expressed his excitement for the Design Excellence Program. He thanked all the citizens he met with this week, and all of their interactions. He reminded everyone of the Home Grown Festival downtown on Saturday. Smiley congratulated Crystal Wright, Lieutenant Derek Spicer, and Lieutenant Scott Miller on their awards. She expressed her appreciation of the staff and everything they do, and thanked them. She then said it is home improvement season, and that some projects may need a Building Permit. She staff could put something together going over the guidelines and send with utility bills to help inform citizens and prevent future issues. Smith said it was a pleasure to fill-in for the Mayor in presenting the Shelley Simmons proclamation last Thursday at the Chamber event. Cavness congratulated the City on receiving the grant from the Walton Family Foundation. He then said the Purple Heart signs are up at the entry ways of the City. Johnson said he was glad to receive positive feedback on the last item. Beers expressed his appreciation for the citizen's involvement and communication. He encouraged the City to keep thinking about the Design Excellence Program progressively. He congratulated the officers on their awards. He thanked Shelley Simmons and family for all they do for the community. He then said they had a great first mountain bike race on the JBU campus, in which Director Burns participated in. Coleman expressed his appreciation to the Police personnel. He echoed the Mayors statements regarding voiced concerns on agenda items. He said he has not had much communication from citizens in the last 4 years he's been on the Board. He said Board members are here because they were elected, and that one responsibility they have taken on, is to hear citizen's comments. He encouraged citizens to reach out and voice their complaints or praises.

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

Meeting adjourned.



APPROVED:



John Mark Turner, Mayor

ATTEST:



Renea Ellis, City Clerk

