

MINUTES OF THE REGULAR MEETING OF  
THE BOARD OF DIRECTORS OF THE  
CITY OF SILOAM SPRINGS, BENTON COUNTY,  
ARKANSAS, HELD NOVEMBER 1, 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 November 1, 2016.

The Meeting was called to order by Mayor Turner.

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

Phillip Patterson, City Administrator; Jay Williams, City Attorney; Renea Ellis, City Clerk; Jeremy Criner, Fire Chief; Jim Wilmeth, Police Chief; Justin Bland, City Engineer; Don Clark, Community Services Director; Christina Petriches, Finance Director; John Bland, Acting Electric Director; Steve Gorszczyk, Public Works Director; Ben Rhoads, City Planner; present.

Opening prayer was led by Frank Johnson.

Mayor John Turner led the Pledge of Allegiance.

A copy of the October 18, 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.

Mayor announced that they were experiencing technical difficulties due to a lightning strike, so there will be no video or live stream on the website. He asked everyone to use the mic at Beers seat location when coming up to speak.

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

Don Cundiff, 601 W. Tahlequah, stated he is the official American Legion Parade Coordinator. He asked the board would let him know if anyone would like to ride in the Veteran's Parade. He stated Brad Burns will be busy as parade announcer.

The next item on the agenda: Budget Amendment / Street Department / 2016 Capital / Sidewalks.

Discussion: Justin Bland, City Engineer, briefed the item. Beers asked if the reason Maxwell Street has been prioritized was because that allows additional parking downtown. Bland answered yes. Burns thanked staff for the sidewalk presentation. He encouraged citizens to attend meetings. He asked for some follow-up regarding an abandoned house at University and Maxwell. He then encouraged parking on Maxwell to open up present parking for businesses. A Motion to approve the budget amendment to reallocate funding in the Street Department's 2016 Capital Budget for sidewalk construction in the amount of \$24,903 from Lake Francis Dr. to Maxwell St. was made by Smiley and seconded by Smith.

Roll Call:

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

7 Ayes.                      No Nays.                      Motion passed.

The next item on the agenda: 1<sup>st</sup> Reading / Ordinance 16-17 / Amend Section 102-21 of the City Municipal Code / rezone I-1 to C-2 / 3948 Hwy. 412 E.

Discussion: Ben Rhoads, Senior Planner, briefed the item. Johnson asked what problems would arise with housing developments to the south side. Rhoads said primary concern would be getting access back there. A Motion to Place Ordinance 16-17 / Amend Section 102-21 of the City Municipal Code / rezone I-1 to C-2 / 3948 Hwy. 412 E. on its first reading, suspending the rules and reading title only, was made by Smiley and seconded by Beers.

Roll Call:

Cavness, Coleman, Johnson, Smiley, Burns, Beers, Smith –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 I-1 TO C-2) THE  
PROPERTY LOCATED AT 3948 HWY. 412 E**

was read on its first reading.

The next item on the agenda: 1<sup>st</sup> Reading / Ordinance 16-18 / Amending Chapter 2 of the Municipal Code / Compensation of the Mayor and Board.

Discussion: Christina Petriches, Finance Director, briefed the item. Lucas Roebuck, 245B Ravenwood, stated he is opposed to the compensation increase. He stated the services offered by the Board members are worth more than what they're paid, but he thinks it should be served out of civic duty and believes the modest pay is sufficient. Don Cundiff, 601 W. Tahlequah, stated he has similar views on the matter, but believes an increase in efficiency should be countered with a pay raise. Burns said their reason for being on the Board is not about money, but about servitude. He said the money doesn't end up in savings, but is spent back into the community. He said he believes the City is producing things that will make citizens happy. Smith agreed with Burns, and said this was proposed by staff. She said she is neutral to this because she often donates money back to charities. Smiley agreed with Burns and Smith; does not do this for the money. She said she tries to contribute to non-profits. She said it is awkward, but it will have to be addressed eventually. Beers said he didn't realize it was a paid position when he signed up. He said if this isn't addressed sooner than later, the increased amount will be a lot more. Smiley said it has been 12 years since the last increase and that it's less than 1.5% per year overall. Cavness said there was a safety study done a few years back on the salary for the Mayor. He said the results determined a need for increase. He said he only has 3-4 more meetings left; and thinks the work that's being done by the Board needs to be viewed to help determine pay increase. Coleman said if the pay was attached in a similar way as staff, it would currently be around \$800 per meeting, which is excessive. He said he shares a lot with local non-profits, and it's also used for gas when checking rezoning's among other projects. A Motion to Place Ordinance 16-18 / Amending Chapter 2 of the Municipal Code / Compensation of the Mayor and Board on its first reading, suspending the rules and reading title only, was made by Burns and seconded by Smiley.

Beers expressed his appreciation, and hopes this can be left for all three readings allowing feedback from the public.

Roll Call:

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

7 Ayes.                      No Nays.                      Motion passed.

An Ordinance entitled:

**AN ORDINANCE AMENDING ARTICLES II AND III OF CHAPTER 2 OF THE MUNICIPAL CODE, ESTABLISHING COMPENSATION FOR THE OFFICE OF MAYOR AND OFFICE OF DIRECTORS OF THE CITY OF SILOAM SPRINGS, ARKANSAS**

was read on its first reading.

The next item on the agenda: 1<sup>st</sup> Reading / Ordinance 16-19 / Amending Chapter 2 of the Municipal Code / Compensation of the Planning Commission.

Discussion: Don Clark, Community Services Director, briefed the item. Lucas Roebuck, 245B Ravenwood, said he is in favor of compensation for commissioners. Smiley said there is a lot of time and resources committed by the commissioners. She expressed her appreciation for everything they do, and is in favor of this compensation. A Motion to Place Ordinance 16-19 / Amending Chapter 2 of the Municipal Code / Compensation of the Planning Commission 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 78 - 38 OF THE MUNICIPAL CODE, ESTABLISHING COMPENSATION FOR MEMBERS OF THE PLANNING COMMISSION.**

was read on its first reading.

The next item on the agenda: 1<sup>st</sup> Reading / Ordinance 16-20 / Amend Section 94-185 of the City Municipal Code / Prohibiting On-Street Parking / S. Dogwood St. and W. Jefferson St.

Discussion: Mayor announced this item will be tabled as it pertains to another item that is being remanded back to Planning & Zoning.

The next item on the agenda: Resolution 34-16 / Extending the Authority of the City Administrator to Offer Economic Incentives for New and Expanding Industries.

Discussion: Phillip Patterson, City Administrator, briefed the item, including removing the paragraph regarding water/wastewater rates. Don Cundiff, 601 W. Tahlequah, stated he has noticed there are several trucks parked by Heartland, which are hauling wastewater from

Decatur. He asked if that is subject to this as well. He stated he still pays the same amount when they're receiving a reduction. Steve Gorszcyk, Public Works Director, said he is not aware of any trucked wastewater into the City. He said Decatur is currently working with Centerton to take wastewater. Cundiff said he would stand corrected if wrong. A Motion to approve Resolution 34-16 extending the economic development incentives for new and expanding industries for a 2-year term was made by Smiley and seconded by Coleman.

Roll Call:

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

7 Ayes.                      No Nays.                      Motion passed.

The next item on the agenda: Resolution 36-16 / Significant Development Permit / The Plaza Shopping Center / 3300 Block of Hwy. 412 E.

Discussion: Ben Rhoads, Senior Planner, briefed the item. Nate Bachelor, CEI Engineering, echoed Rhoads' comments. Beers expressed his excitement about the continued growth. He asked if there will be light bleed-over with the 6 foot fence. Rhoads said a 6 foot buffer fence is standard to code. He said the lighting is cut-off style lighting, which is most used. He said they will have wall packs on the back of buildings for parking. Phillip Patterson, City Administrator, asked Rhoads to confirm that he is working on code amendments for commercial developments to have sharp cut-off light fixtures. Rhoads confirmed. Patterson asked if Rhoads is encouraging developers to abide with the proposed amendments before they become part of the code. Rhoads answered yes. A Motion to approve Resolution 36-16, authorizing a significant development permit, including a 30 percent parking space reduction, for 3300 Block of Hwy. 412 E., subject to conditions, was made by Smiley and seconded by Beers.

Roll Call:

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

7 Ayes.                      No Nays.                      Motion passed.

The next item on the agenda: Resolution 37-16 / Significant Development Permit / Arkansas Early Learning / 2011 & 2075 N. Mt. Olive St.

Discussion: Ben Rhoads, Senior Planner, briefed the item. Phillip Arnold, 306 W. Weymouth Ct., stated traffic makes it almost impossible to make a left turn, and speed is also a concern. He stated property value is decreasing. Beers said he too is concerned about traffic. He asked where does traffic flow slow down during school hours. Rhoads said he is uncertain. Smith said the school zone starts at the entrance for the Baptist Church. Beers said the City does not control the speed at that part of Mount Olive; as it's a State highway. Phillip Patterson, City Administrator, said staff could ask AHTD to lower the speed limit after analysis. Beers said additional development on the north side and commitment from staff to look into this is needed. Mayor said this is a result of progressive stacking of code from several years ago. He said safety is a concern. A Motion to approve Resolution 37-16, authorizing a significant development permit for 2011 & 2075 N. Mt. Olive St., subject to conditions, was made by Smiley and seconded by Beers.

Roll Call:

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

7 Ayes.                      No Nays.                      Motion passed.

The next item on the agenda: Resolution 38-16 / Final Plat Development Permit / Dogwood Meadows / 1218 W. Jefferson St.

Discussion: Mayor announced the developer has requested this item be remanded to Planning and Zoning, and will be brought to the Board at a later date.

The next item on the agenda: Staff Reports / Solid Waste Report.

Discussion: Don Tennison, Sanitation Superintendent, briefed this item. Mayor said he is very excited for the progress, and how it has been affecting the out of towners. Beers expressed his excitement about what they're doing. He asked if anyone can get more than one recycling bin. Tennison answered yes. Beers also asked about possible expansion of recycling options including glass. Tennison explained the process and steps they are taking to expand the recycling options. He said hoping to see a plant in 3-5 years. Smiley thanked Tennison for the presentation. Tennison thanked staff and Smiley for their help backing this project. Coleman said our guys are fantastic.

Administrator's Report: Phillip Patterson, City Administrator, stated Don Tennison dropped off some old newspapers that he had found which aged back to 1974-1975. He then went over a few of the articles in relation to the open City dump and bagged trash. He asked Don Clark to step up and go over the event on Broadway. Don Clark, Community Services Director, stated that surprisingly they did not receive any negative comments on the restriping on Broadway to allow angled parking. He thanked the Fire Department for testing their trucks in the lanes. He stated they should get about 12 extra parking spots in that one block if the City executes this option. He stated a lot of people were going very slow, causing a traffic calming effect. Patterson stated staff will sit down and look at the angle, how much space is really there, etc. He stated the biggest concern will be backing out of those angles, especially bigger trucks. He reported that the Walton Family Foundation has picked 5 designers from across the country that the foundation will pay up to \$300,000 in design cost for the Design Excellence Program. He stated staff would like to put together an interview committee; three from the staff and two from the Board. He then stated he received word from AHTD and KCS that they have worked out all the issues in the Construction and Maintenance Agreement in connection with the Cheri Whitlock overpass, which has now been signed by the Mayor. He stated the bid announcement will go out tomorrow. He reported the Mayor and he attended the Urban Land Institute Conference in Dallas, TX, and that it was very informative. He thanked the NWAC for the grant to cover costs. He announced on November 10<sup>th</sup> there is an Arkansas Municipal League meeting in Springdale from 11am-1pm at City Hall. He stated to let him know if anyone wishes to ride with him.

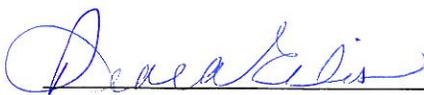
Open Hearing of Directors: Mayor asked for volunteers for interview committee. He stated Burns and Smith had previously been contacted regarding this, and will be placed on this committee subject to the Board's approval. He stated the Urban Land Institute Conference was very interesting. He stated there were a lot of people from Northwest Arkansas and the majority of the people there were realtors; it was interesting to speak with them. He stated the election is a week from tonight. He encouraged everyone to vote. He reminded everyone of the Tailwaggers Bake Auction at 7pm this Friday, November 4, which will have soup and sandwiches available. Beers announced that Mountain Bike Celebration is this Friday at JBU at 11:30am. He stated there will be cutting a ribbon for the Sager Creek Mountain Biking Trail, which is about 7 miles funded by Simmons and the Walton Family Foundation, with JBU providing the land. He stated

La-Z-Boy hit 4 million hours of safe workforce. He thanked the community for involvement during Halloween activities. He then stated he missed last meeting because he was in South Korea speaking at a University. Smiley congratulated La-Z-Boy on their safety accomplishment. She also encouraged everyone to attend the Tailwaggers Bake Sale. She stated Parks and Recreation has a Cardio Dance class on Tuesdays and Thursdays at 5:30pm and 7:30pm at the Community Building with the cost only \$2 per class. She stated the Turkey Trot 5k and Fun Run will be on Saturday the 19<sup>th</sup> with registration starting at 7am, and the race at 8am. Smith echoed congratulations to La-Z-Boy. She stated she was unable to attend due to teaching at JBU as an adjunct. She thanked the businesses and organizations that supported the downtown Trick-or-Treating event, as well as the Fire and Police Departments. Cavness echoed Don Cundiff's statements about Veteran's Day on November 11<sup>th</sup>. He encouraged everyone to attend and participate in the parade. He stated at 11am on Saturday, November 19<sup>th</sup> the Fayetteville Veterans Center is going to have an open house and chili cook-off honoring all who have served. He stated on November 11<sup>th</sup> that Siloam Springs Civitan Club will be having their annual soup sampler from 11am-2pm at the Community Christian Fellowship Church with tickets being \$5. Johnson stated the weather has been great and encouraged everyone to get out and enjoy it. He also encouraged everyone to go vote. Coleman stated his wife and he went on vacation last week in Galveston. He said he sent a photo of the beach to the Mayor and City Administrator with a request that they ask the City Attorney to prepare an ordinance for annexation a couple miles of the beach. He stated he was very pleased when they got back and found Mount Olive has been completed, and looks fantastic. He stated the function of the road is great. He thanked staff for their work on the budget preparations; this one being the easiest to follow. He stated his wife and he stopped at Cotton Patch in Dennison on the way back. He stated the City is in for a fantastic surprise once Cotton Patch opens. Burns stated on October 11 he met with some people from ORC and EMBA to talk about City Lake development. He stated he is very excited about the development and diversity of that property. He stated on Monday morning he went to Lake Fayetteville to catch the sunrise, and ride around to see that development. He stated he is proud that this Board has been able to finish this project when others didn't. On October 27<sup>th</sup> he read the proclamation at La-Z-Boy, which he also worked there a while back. He stated it is a top rated facility. He reminded everyone that November 10<sup>th</sup> is the Marine Corp's 241<sup>st</sup> birthday. He then stated on the 11<sup>th</sup> the parade will start around 9:30am. He stated after the parade, at 11am, there will be a donation of an old fire truck to Station 2.

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

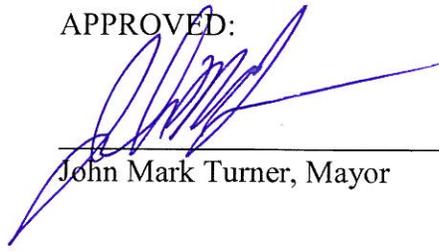
Meeting adjourned.

ATTEST:

  
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Renea Ellis, City Clerk  
{seal}



APPROVED:

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

