

City of Shannon Hills, Arkansas  
Regular City Council Meeting  
Aug 09, 2005

Mayor Davis called the meeting to order at 6:30pm.  
The Mayor led the pledge of Allegiance.

**Roll Call:** Present were Mayor Davis, Recorder-Treasurer Curt Wilson, City Attorney Patrick Benca, Aldermen Robin Baker, Mike Kemp, James Smith, and Dave Holsomback. Alderman Diane Everett was absent. Alderman Everett arrived at 6:40pm.

**Minutes:** Minutes for both the Regular Meeting of July 12, 2005 and a Special meeting of July 26, 2005 were presented for approval. Motion to approve both minutes was made by Alderman Baker. Second was provided by Alderman Kemp. Motion was approved by voice vote with no opposition.

**Financial Report:** The Recorder-Treasurer presented the following verbal financial report:

<b>General Fund</b> Checking Account ...	\$ 52,214.59
Undeposited Funds .....	\$ 24.60
Reserve Fund (Stephens).....	\$ 48,538.00
Radio Fund .....	\$ 88.88
Emergency Light Fund .....	\$ 253.00
Reader Board .....	\$ <u>561.72</u>
General Fund Total	\$101,680.79
Payroll Account .....	\$ 74.51
<b>Street Fund</b> Checking Account ...	\$ 96,255.02
Street fund reserve account .....	\$ <u>33,558.20</u>
Total Street Fund Assets .....	\$129,813.22
Bond & Fine Account .....	\$ 13,822.38
Court Clerk Fund .....	\$ 11,905.00
LOPFI Account balance .....	\$ 7,772.77

A motion to accept the Financial report as presented was made by Alderman Kemp. Alderman Baker provided a second to the motion. The motion was approved by voice vote with no opposition.

A motion was made by Alderman Smith to suspend the rules and modify the agenda by adding Ms Gina McGee to the agenda and moving her topic to the front. A second was made by Alderman Holsomback. The motion was approved by voice vote

**Item 1. Ms Gina McGee requesting a zoning variance that will allow living quarters in the rear of a business in an area zoned commercial.**

Ms McGee stated that she had met with the planning Commission, that the fire marshal and Fire Chief had walked thru the building and that she was prepared to comply with their  
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findings. She stated that it was her plan to open an Antique Shop in the front of the building and live in the rear. (An existing variance is in effect but based on different criteria.) Ms McGee also stated that it was her intent to establish some commercial rental space later when funds were available to upgrade some remaining space so as to meet code requirements.

Following some discussion Alderman Kemp moved that the original variance be amended to allow the Single Family living quarters to exist behind an Antique Shop and that, in addition, the proper building permit be paid based on the square footage of the established residence area, that all proper privilege licenses be purchased and that be business space be greater than the living space in the building. Alderman Baker provided a second for the motion.

Following several minutes of additional discussion a roll call vote produced the following results:

Alderman Baker ...	Yes
Alderman Kemp ...	Yes
Alderman Riley ...	No
Alderman Smith ...	Yes
Alderman Holsomback ...	No
Alderman Everett ...	Yes

The Motion passed.

## **Item 2. Water and Sewer project update from Mr. Tim Lemons.**

Mr. Lemons, of Lemons Engineering presented a project update.

On the Bretchen-Packer Sewer expansion, the project stood at twenty percent (20%) complete as of the end of the invoice cycle (July 25<sup>th</sup>). He further stated that, based on his own observation, current percentage of completion should stand at close to 30 – 35%. Alderman Kemp requested clarification with respect to the expansion tying onto the existing sewer system and not being dependant on the completion of the sewer treatment plant. Mr. Lemons confirmed that that was the case. That clients could tie on and begin use of the sewer system without waiting for the completion of the treatment plant.

Concerning the water tower construction, Mr. Lemons reported that material was being delivered and that a decision was need from the council about how many logo's and their desired locations on the tank. The council was in general agreement that they would like three, (3) logos and city name sites on the tower Mr. Lemons presented the prices as presented by the contractor and the cost of the third logo was perceived by the council to be way out of line. Some suggestions were offered to Mr. Lemons concerning negotiations on the cost of the third logo. It was recognized that approval of the first two could be done and the remaining issue would have to be addressed after Mr. Lemons talked with the contractor.

A motion was made by Alderman Holsomback, with second from Alderman Kemp, to approve the expenditure of One Thousand Seven Hundred Twenty-Five Dollars (\$1,725.00) for the first stage if logo production. The motion was approved by voice vote with no opposition.

**Main Water line extension** from new tower to downtown grid. Plans for this

project have been completed and submitted to the Arkansas Department of Health for review. Written report and drawings were submitted.

**Waste Water Treatment Plant** project: Plant design is complete and is in the hands of ADEQ and the Department of Health for their review and approval.

Approximately one-half acre of land, not owned by the city, was accidentally cleared. The best way to resolve the error would be to purchase the land. The owner of the land has negotiated a price of Ten Thousand Dollars (\$10,000.00) for the land in question. Since an equal amount of nearby land was purchased for Seven Thousand Five Hundred Dollars (\$7,500.00) and the Engineering firm agrees that it was his surveyors error, it has been proposed that the city accept the ask price and Lemons Engineering will pay Two Thousand Five Hundred Dollars since that is above the price paid for an equal amount of land purchased earlier, in the same area. After hearing the issue and brief discussion, Alderman Kemp made a motion to approve the purchase of the land splitting the cost of said purchase with the city paying Seven Thousand Five Hundred Dollars, (\$7,500.00), and Lemons Engineering paying the additional Two Thousand Five Hundred Dollars, (\$2,500.00). In roll call vote, Aldermen Baker, Kemp, Riley, Smith, Holsomback and Everett voted "Yes". There was no opposition. The Motion passed.

**Item 3. Re-Vote on Resolution 2005-04 (annexation Ordinance for land east of the city).**

This Resolution was approved in July but three items were detected that required changes. One was the election date that had to be changed from Oct 4 to Oct 11 in order to comply with state law. The second change was required by the County Clerk. It is required that the ballot title appear in the ordinance. The third issue was that a polling place within the proposed area of annexation had to be named (North East Fire Station). Because none of the changes changed the meaning or intent of the Ordinance only a "confirmation" vote is required.

Alderman Kemp moved that the changes to resolution 2005-04 be adopted as a vote of confirmation because the intent of the resolution had not changed and because the council had previously approved said resolution. The motion received a second from Alderman Riley.

In a roll call vote Aldermen Riley, Smith, Holsomback, Everett, Baker and Kemp voted "yes". There were no opposing votes. The motion passed.

**Item 4. Don and Tracy Smith of 14123 Sardis Rd requests a variance to allow them to keep some farm animals inside the city limits.**

The Smiths came before the council to request a variance that would permit them to keep animals not permitted by city ordinance. Because there were neighbors who expressed opposition to their request, it was denied. No motion was made or vote taken.

Alderman Kemp moved for a five-minute recess. Alderman Riley provided a second. The motion was approved by voice vote with no opposition.

The meeting recessed at 7:38pm.

Mayor Davis called meeting back to order at 7:45pm.

**Item 5. Purchase of Ross Road.**

Mayor Davis reported that he had asked Arkansas Appraisal Company to appraise the land in question. Their report indicates that land in the area of Ross road is valued between Seven Thousand and Nine Thousand Dollars. (\$7,000.00 and \$9,000.00) per acre.

There followed a lengthy discussion about the need for city ownership of Ross Road, how wide the road/easement needed to be in order to serve the needs of the city etc.. Because some issues that could not be resolved at the meeting remained A motion was made by Alderman Baker to give the Mayor authorization negotiate on behalf of the city and bring the results back to the council. The Motion received a second from Alderman Everett. The motion was approved by voice vote with no opposition. (Alderman Kemp abstained.)

**Comments:**

None

**A Motion to Adjourn** was made by Alderman Baker. A second was supplied by Alderman Everett. Motion was approved by voice vote with no opposition.

The Meeting Adjourned at 8:20pm.

Date: \_\_\_\_\_

Approved: \_\_\_\_\_  
Larance Davis, Mayor

Attest: \_\_\_\_\_  
Curt Wilson, Recorder-Treasurer