

Mary Jo's Heye-lights

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THE BOND ISSUE

THIS MONTH'S ISSUE REPORTS ON THE DELIVERY OF SHERWOOD BOND PROJECTS

“Stand Alone” Drainage Projects to Be Paid Out of Bonds

Two South Sherwood Drainage Projects?

The Sherwood City Council at its February meeting approved two engineering contracts for drainage projects in the older section of the city. These engineering contracts will cost approximately \$140,000 with construction costs for the two projects possibly well over \$1 million dollars. I object to these expenses - *for specific reasons*. My contention was the 2018 Sales Tax/ Bond Issue was presented and approved by Sherwood voters on the strength of needed street projects alone. Any diversion of monies from street projects is “bait and switch” in my mind. I will return to my solution for “stand-alone” drainage projects at the end of the article.

During discussions, it was stated these two drainage projects were part of a list of previously authorized “stand-alone” drainage projects. This list was (1) supposedly seen and authorized by the “City” and (2) was presented to the public at the Town Hall PowerPoint presentations prior to the election. And (3) it was also “confirmed” (**Next Column**)

that the ballot language for the bond issue approved in the 2018 Sales Tax election allowed for “stand alone” drainage improvements that were not part of street projects. I strongly object to all three of these assertions. I questioned these claims at the meeting and voted against these two projects. My reasoning follows.

There Was No Approved List of Projects

First, the City Council has never authorized or approved a list of “stand-alone” drainage projects. A list of \$3.1 million dollars in drainage projects was presented to some group in the city (Street Committee, maybe?) as possible improvement projects in the multi-year run-up to 2018 Election. This is not an approval. This list was not presented to the City Council for approval, or even for review and further discussion that I remember or according to any written record. Approval requires a positive City Council vote and lack of action is not consent.

Also, this list was generated solely by the administration. It was not supplemented by City Council members representing areas all (**See DRAINAGE, Page 3**)

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Approved Street Projects Change In Scope & Emphasis And Increase In Price As City Starts Slow Development Process

I am concerned about the management of the approved street projects and want to make sure the city delivers what it promised as I mentioned in the previous newsletter. This update on street projects will reveal some of the reasons why.

With the successful passage of the 2018 Sales Tax/ Bond Issue, Sherwood voters authorized the city to issue up to \$38 million in bonds to be paid off with the proceeds of the new three-quarter cent sales tax. The city has already issued \$22 million in bonds for a first phase of projects. An update on Maryland was included in the last newsletter. I attended the March Street Committee Meeting in order to find out more information on other projects. By the way, I am not a Street Committee member and the meeting was behind two locked doors. I had to crash the party, but here are the best updates I can determine.

Brockington Road: Kiehl to Hwy 67/167

The City and the Arkansas Department of Transportation (ArDOT) agreed to pursue a joint study of Brockington Road to explore ways traffic congestion can be improved. ArDOT finally received the new Sherwood Master Plan in mid-March after waiting for MONTHS. The department had already waited most of the year when the City Council approved the new Master Street Plan. It then had to wait another three full months for the city administration to get the plan to them. Even then, the new Master Street Plan did not change the old Master Street Plan with regard to Brockington Road. The long wait for the new plan was completely unnecessary. This delay has held up the progress of the mandatory joint study with ArDOT. The traffic back-ups on the section of Brockington extending from its intersection with Kiehl to 67/167 are horrendous and, because it involves a state highway, nothing can be done to fix Brockington until this joint study is done.

Why time is so important? A project to fix for the congestion on Brockington is not included in the first phase of the bond issue. Only this joint study is to be funded out of the first \$22 million dollars of street (Next Column)



Improvements. Remember that in the Metroplan Analysis, this street was determined to be the ***“single most strategic street project for handling future traffic congestion, promoting economic development, and impacting regional transportation patterns”*** in the city of Sherwood. Either this study gets completed quickly or there will be no fix for Brockington in this entire \$38 million bond issue. If a fix for Brockington isn't included in this bond issue, the next bond issue will be years and years away. I am not sure the city's administration is even championing this project, the city's "most strategic street project." Rest assured though; I am doing all I can to champion this project.

Jacksonville-Cato Road

The City Engineer announced that the alignment for Jacksonville/Cato had finally been decided. Jacksonville-Cato Road is a narrow collector road with both safety and flooding problems leading to two schools. The flooding problems are serious and cause road closures preventing access to the schools (See JACKSONVILLE-CATO, Page 3)

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(JACKSONVILLE-CATO Continued) from the east and necessitating a long detour. No engineering could begin on this project until the alignment was determined. I was surprised to learn the project length has increased over five times. The original scope extended from Hwy. 107 to Creekwood Drive and addressed the primary flooding and safety issues. Now, the scope of the engineering is from Hwy. 107 to just past the Cato Elementary. This has ballooned the costs from \$3.27 million to over \$13 million. This is concerning. Such a huge increase in scope and costs for this project could shortchange money for other promised street projects.

In the long run, it would be a very good thing to have a street built to full city standards with sidewalks leading to the schools that educate Sherwood kids. My concern is whether the building entire street is our most pressing street issue. Most kids from the east arrive by cars coming from Hwy. 107. The sidewalks would primarily be for future residential development along the street. While this long project may be split into multiple phases, the decision to engineer a much longer project has not involved the City Council. Again, the City Council must be involved in the city's decision on the scope and phasing of this project and its possible large cost. That "involvement" cannot be just approving the bid when its already a done deal.

Country Club Road

This project was included in the list of street projects to fix persistent flooding issues on the west end of Country Club Road between North Hills Boulevard and Beverly Avenue. This project had first been mentioned as a widening to three lanes but had been talked down to just fixing the drainage issues. After considering that traffic counts had not grown in decades, the City Council agreed that widening would only increase car speeds in a neighborhood and the distance walkers and school children would have to cross to get to safety.

However, again unbeknownst to the City Council, this project is now designed to extend from North Hills to Beaconsfield almost doubling its length. Why? And here is where it gets **(See COUNTRY CLUB ROAD Page 4)**

(DRAINAGE Continued) around the city. Of the nine projects listed, six are south of Kiehl Avenue in the southern areas of the city and three projects north of Kiehl in areas of the city annexed since 1990 (representing 60% of the total area in Sherwood.) This list may be the worst drainage problems in the city and these two projects may be the worst of the worst. We don't know. I do know of one couple in Miller's Crossing that has spent tens of thousands of dollars diverting water from flooding their home. Surely, this is one of the worst spots, but who knows. No analysis of the city's drainage problems has ever been given to the City Council. The City Council was asked to trust the administration and spend this precious money. The City Council doesn't know if money will still be available to fix the worst problems, street or drainage.

Sherwood Committee System Rabbit Hole

This issue is probably made worse by Sherwood's committee system. Our city committee system is abused by the grant of "virtual approval" authority on certain decisions that "should not be questioned" by City Council. The system also allows committees to make some critical decisions that never get to the City Council. These included street design issues more political in nature than engineering. This improper grant of authority is allowed by the administration and the City Council. Further, committee meetings are often inaccessible and rarely attended by the public. This is an end run on public transparency and pushes authority down into the "rabbit holes" of committees. The public gets little chance to observe or comment. That might have been happened on this issue.

Under state law, however, City Councils are the governing bodies of cities and have all authority. City committees have only advisory roles, as outlined in the city ordinance that create them, and their actions must be confirmed by the City Council. While committees can serve the public good, public transparency is compromised when committees are given authority to make major city decisions. In a further strike against accountability, not all members of city committees are elected officials. Committees also include **(See COMMITTEES Page 5)**

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(COUNTRY CLUB ROAD Continued) unbelievable. From Beverly east to Beaconsfield, the perfectly good curbs on each side of this perfectly good 2,749 foot section of street will be torn up to widen the street one (1) foot on each side. ONE FOOT. Not to add a turn lane, but just to add two more feet; one foot on each side. But wait, there's more! This means the new street overlay will also be torn up with the street curbs. It could possibly require relocating utilities, replacing the storm drains, and replacing some, if not all, of the perfectly fine sidewalks. For what reason you ask? "For aesthetics" they say! Why not save this ridiculous cost and just put a turn lane on Country Club at Devon Ave for Sherwood Elementary? With a blind hill just behind the left turn towards the school, a turn lane has real benefits. One extra foot on each side for 2,749 expensive feet? Not so much. Again, the only way that I found this information out was by going to this committee meeting.

Kohl's Extension/Baring Cross

This one block long project is still incomplete. Literally, this project is less than 500 feet long. Among the delays, this project has gone through at least two schematic designs if not full engineering. The street alignment has also been shifted, again without approval of the City Council. It's intersection with Lantrip Road will no longer align with Cherrywood Drive across the street which will complicate turn movements on both side streets. **(Next Column)**

Kohl's Road: Still Less Than 500 Feet From Finished



Engineering delays and right-of-way decisions aside, the construction phase of the project has been a (fill in the blank): Adventure? Disappointment? Disaster? The project went to bid in August receiving only two bids. The construction contract was awarded in September 2019 and the contractor has struggled since then. Construction apparently didn't start until November last year. The road base is down but has not fully passed inspection. I appreciate the fact that the city is thoroughly inspecting this construction. We have unfortunately in the past not been so conscientious of road construction. There are still no curbs and gutters in place. We had been told that this project would be completed by Christmas and then it was January. While it was a wet winter, the sun has poured down on a deserted project on many recent days. This was the first project selected because it was the smallest and the easiest. We are in trouble if the rest of the projects go at this pace. Still, with good weather, this project will be completed in the next few months.

Other Street Projects:

The **Oneida Road Bridge** project will start soon. This project will replace the bridge over Kellogg Creek closing access between North Lake Subdivision in Jacksonville and Indianhead Subdivision. Residents on Shoshoni and Indianhead Drives might enjoy a little less traffic on their streets for the length of the project. Pulaski County and the City of Jacksonville are joining Sherwood on this project. The **western Maryland Avenue widening** project is still waiting on AT&T to relocate their telephone lines. These two projects are being funded by Metroplan grants. Regarding other bond issue projects, the **eastern Maryland Avenue extension** project to complete the connection to Brockington is still on the engineers' drafting boards. Apparently, it's right next to plans still being drawn for the **Hemphill Road** extension.

The Bottom Line: What's the Hold Up?

The 2018 Sales Tax & Bond Issue passed on June 19, 2018 – that is 22 months ago. Only one project has been completely engineered and started construction. No projects have been finished. Sherwood can do better. **MJH**

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(COMMITTEES Continued) unelected members (chosen by the Mayor) who do not answer to the public. When committees are improperly allowed to exercise authority, these unelected members exercise more influence on projects than the elected members of the City Council. *On this drainage issue, the City Council never approved or authorized this list of "stand-alone" drainage projects. This is my first objection.*

A Drainage Project List Was Never Presented to the Public.

Second, it was stated that this (unapproved) list of "stand-alone" drainage projects was presented to the public at various Town Hall meetings prior to the 2018 Sales Tax Bond Issue Election. The Street Committee Chairman even stated the list of drainage projects was a part of the public PowerPoint presentations. I co-hosted two of the five Town Hall meetings. While drainage improvements were discussed as part of the Country Club and Jacksonville-Cato street projects, I did not remember any official list of "stand alone" drainage projects ever being presented. I asked for a copy of the PowerPoint presentation. As I remembered, the listing of \$3.1 million dollars in drainage projects was NOT part of the PowerPoint. As the Street Committee Chairman later acknowledged, *ONLY* drainage projects associated with the street improvements on Country Club and Jacksonville-Cato were presented to the public. *For anyone to say this list of "stand-alone" drainage projects was presented to and approved by voters is rewriting history and is flat wrong. This is my second objection.*

Separate Drainage Projects Was Really What the Voters Approved?

Third, under my questioning, City Engineer Richard Penn stated the money for these projects was to come from the proceeds of the bond issue approved by the 2018 Sales Tax Election. City Attorney related that, in the opinion of the city's bond attorney, "stand-alone" drainage projects can legally be paid for with the proceeds of the bond issue. Again, based on the primary discussions at the city council level in the run-up to the election, this is a "bait and switch" policy. This is not what was discussed at the city council level, nor was it what was presented **(Next Column)**

to the voting public. As with all elections, it is the actual language in the election ballot title that is authorized by voters. According to the bond attorney's opinion, Sherwood citizens, when voting for promised street improvements, apparently authorized a bit of legalese allowing expenses for other "stand-alone" drainage projects. "Stand-alone" in this sense means off street rights-of-way and unrelated to a street project. Why was this even asked of the bond attorney if it was the intent of the city from the beginning to include these type projects? On the strength of the attorney's opinion these projects may be legal, but they are not what was promised. For the record, I disagree that the ballot title language allows what is being done.

In my opinion, even if the bond attorney is correct, this is unethical. We asked the public for money for certain things and then we are spending it on something else. *This misdirection of money to "stand-alone" drainage projects was not what the voters thought they were voting on. It is not ethical stewardship of this money. This is my third objection to these two engineering projects being paid for out of the Bond Issue.* This is why I voted "no" on these projects and why I will vote "no" on all future stand-alone drainage projects. **(See FLOODING Next Page)**

Prepared for Flooding



This house in Miller's Crossing has been flooded so many times costing ten's of thousands of dollars in damage that the homeowners have installed expensive, removable flood barriers at their home

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(FLOODING Continued)

I Am FOR Drainage Projects . . . But WITH the Quarter Cent Sales Tax Monies:

To be clear, I am FOR spending money on drainage projects in Sherwood. We have many major drainage issues in our city. My objection is spending this *particular* money. Did you know that Sherwood voters also approved a quarter (1/4) cent sales tax at the same election they approved the three-quarter (3/4) cent sale tax? It is that larger tax which is being used to pay off the bond issue. The smaller tax is not committed to paying off the bond issue. This smaller tax could be used year after year to attack the city's many drainage issues.

Unfortunately, **there** is no strategic planning for using this quarter cent sales tax money. Against my objections and at the request of the administration, the City Council did not set this new money aside in a separate Capital Fund, nor did it require an annual report showing how it is spent. This money just disappears into the city's General Fund Budget every year. It grows the city's expense budget: more people, more cars, and more **(Next Column)**

supplies, In other words, more government. Again, there is no effort at stewardship or public transparency.

In My Opinion:

The city should use the bond issue money for streets and solve Sherwood's growing congestion problems. Further, the city should create a separate Capital Fund with the quarter cent monies (the smaller tax) and use those monies to fix problems across the city. The new quarter cent sales tax will pump money into this fund, year after year, providing the city an annual source of revenue to make those improvements the city's budget never seems to have money for. And these improvements should be listed in an annual report to the public. Further, these monies should be spent by the City Council, not committees, in a process that fairly and transparently solves the worst problems across the city first, like starting with the homes that actually flood.

Now, that would be good stewardship and public transparency. **MJH**

(See the Unapproved List of Drainage projects Below)

\$3.1 Million, What Drainage Projects Does this include?

Red River Storm Drainage Replacement	\$1,004,475
Greenview Circe Storm Drain Replacement	\$658,125
Shelby 130 Ft. of 30" CMP	\$46,800
Pumice 260' of 48" HDPE	\$128,700
706 Coulter 293' of 41x72 CMP	\$376,740
Whitewood Dr. 255' of 91x64 CMP	\$327,600
Beaconsfield Ct. 242 of 56x38 CMP	\$140,400
North Hills Blvd. 64' of 87x66 CMP	\$175,500
1106 Wildwood Replace Box & 3x5 CMP	\$327,600

I got this information from the Chairman of the Street Committee, Kevin Lilly. He received this information from the City Engineer. I appreciate Kevin Lilly providing this information because this was the first time that I had seen it.

One thing that stood out to me was the Red River Storm Project because this was completed in 2017 and the bond issue occurred in 2018. This list is the basis for city efforts on "Stand Alone" drainage projects paid for out of the Bond Issue. ***This list has never been approved by the City Council***

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News From Sherwood City Government

Parks and Recreation Director Sonny Jansen retired January 31st after 28 years of service. I will be doing a future article about the vast amount of the parks that were built under his tenure. **Darren Austin**, the former Assistant Parks and Recreation Director, was named the Interim Parks and Recreation Director.

Rhonda Benton, the former **Human Resource Director**, resigned in February. **Maureen Pylant** has come out of retirement where she served in this position, to serve the city as its **Interim HR Director**.

Misty Raper, the former Facilities Manager at The Greens, has been selected to serve as the **Interim Public Communications Officer** as of April 1st. This is a new position for our city which was approved in the budget for this year.

Robert Raeke was appointed by the City Council to fill the remainder of John Jenkin's term of the **Retirement Board**.

Paul Ramsey, a longtime employee of Sherwood in the **Computer Service/IT Department** retired this month.

Shannon Meinhold has been hired as Sherwood's **City Planner**. Ms. Meinhold started Monday, April 27. The **City Planner Department Head** position has been vacant since it was authorized by the City Council in October, 2016.

**THANK YOU TO THOSE ON WHOM THE LIVES OF
OUR COMMUNITY DEPENDS**

FRONT-LINE MEDICAL PERSONNEL,
FIRST RESPONDERS, &
ALL ESSENTIAL EMPLOYEES