



Regular Meeting of the Board of Directors

City of Texarkana, Arkansas

216 Walnut Street

Minutes - Monday, July 01, 2019 - 6:00 PM

Mayor Allen Brown called the meeting to order.

PRESENT: Mayor Allen Brown, Ward 1 Assistant Mayor Linda Teeters, Ward 2 Director Laney J. Harris, Ward 3 Director Steven Hollibush, Ward 4 Director Travis Odom, Ward 5 Director Barbara S. Miner, and Ward 6 Director Terri Peavy.

ALSO PRESENT: City Manager Dr. Kenny Haskin, City Attorney George Matteson, City Clerk Heather Soyars and Deputy City Clerk Jenny Narens.

Mayor Brown gave the Invocation and led the Pledge of Allegiance.

* Assistant Mayor Teeters arrived at 6:04 PM.

PRESENTATION(S)

1. Presentation of the City of Texarkana, Arkansas Employee Service Awards. (CCD)

Mayor Brown presented an award and pin to Josh Davis for 20 years of service with the Fire Department.

CONSENT

Director Harris and Mayor Brown requested the removal of Agenda Item 3. Adopt a Resolution authorizing the City Manager to submit an application to the Arkansas Department of Parks and Tourism for a 2020 Arkansas State Parks Matching Grant under the Outdoor Recreation Grants Program, assisting in development of outdoor recreational facilities (PWD) from the Consent Agenda for discussion.

Motion to approve the Consent Agenda made by Director Peavy, Seconded by Director Miner.

The motion carried unanimously, and Mayor Brown declared the Consent Agenda approved. The items approved were:

2. Approval of the minutes of the regular meeting June 17, 2019. (CCD)

REGULAR

3. Resolution No. 2019-24 authorized the City Manager to submit an application to the Arkansas Department of Parks and Tourism for a 2020 Arkansas State Parks Matching Grant under the

Outdoor Recreation Grants Program, assisting in development of outdoor recreational facilities. (PWD)

Director Harris asked when and where the public hearings were held.

Public Works Director Tyler Richards said he believed there were three public hearings. He said he thought one was held at the Vera Bradford Community Center and another at the Sandflat Community Center.

Director Harris asked if the swimming pool on Preston Street were brought up.

Public Works Director Tyler Richards said no one attended the public hearings.

Director Harris asked how the public and the Board were notified of the public hearings.

Public Works Director Tyler Richards said the public hearings were advertised in the newspaper and on social media.

*Assistant Mayor Teeters arrived at 6:04 PM.

Mayor Brown said he was under the impression the City was applying for the HUD loan to improve the existing playing fields surfaces under the grant amount of \$875,000.

Public Works Director Tyler Richards said the \$875,000 was for just the building. He said there would be future plans for the fields, but it was not for this particular loan.

Mayor Brown said he did not see in the 2019 budget where the City budgeted for \$70,000 of matching funds if the City were to get the grant. He asked where the money would come from.

Public Works Director Tyler Richards said this would be in the 2020 budget. He said the City had to secure the grant first and then they would nail down where the money would come from.

Mayor Brown said he would make sure he had the money first before he went after the grant.

Public Works Director Tyler Richards said they had applied for these grants in previous years and the match came from the Advertising & Promotion Commission (A&P). He said they would probably request the same funding this year, but that was not a guarantee. There were other possibilities out there as well. Mr. Richards said the Public Works Budget was prepared to be used next year if needed for the matching funds.

City Manager Dr. Kenny Haskin asked if the City could not include in-kind in terms of a match.

Public Works Director Tyler Richards said he was almost positive you could use in-kind with the Parks 50/50 grant.

Motion to adopt the resolution made by Assistant Mayor Teeters, Seconded by Director Peavy.

Director Harris asked if this location were the Boys & Girls Club.

Mayor Brown said yes.

Voting Yea: Mayor Brown, Assistant Mayor Teeters, Director Hollibush, Director Miner and Director Peavy.

Voting Present: Director Harris.

Voting Here: Director Odom.

The Mayor declared the resolution adopted 5-2.

4. Consider the following action concerning substandard structures:

Conduct a Public Hearing regarding the condemnation of a substandard residential structure located at 309 Charles Street.

Mayor Brown opened the Public Hearing.

Building Official Shawn Maxey said the Public Works Department was looking for a resolution for the condemnation of 309 Charles Street. He said the criteria for condemnation included if the property were adequately maintained, accessory buildings needed repair, dilapidated fences, site had outside trash, sidewalk needed repair, and inoperable or junk cars. Mr. Maxey said there was a rating system in place: A-1- Structure in sound condition, A-2- Structure needed minor repair, A-3- Structure needed major repair, A-4- Dilapidated structures. He said 309 Charles Street was completely burned inside and out. Mr. Maxey said the first notice was mailed December 17, 2018, with no response and now the City was asking for condemnation of the property.

Director Harris asked when the house would be torn down.

Building Official Shawn Maxey said the structure right next to this house had recently burned and the City had tagged and mailed out a notice. He said maybe sixty to ninety days to get both torn down.

Director Harris asked if the City were aware of the trash.

Building Official Shawn Maxey said yes, and the City had already cleaned it up.

Director Harris said a citizen asked him why he needed to buy a permit to tear a house down.

Building Official Shawn Maxey said to demolish or construct a structure you had to have a permit.

Public Works Director Tyler Richards said it was a safety issue, the City had to be certain a structure was safe in order to tear it down.

Director Harris asked if there were any guidelines for tearing down houses. He said several in his ward needed to be torn down.

Building Official Shawn Maxey said the City had ten structures ready to be torn down but there were limited funds.

Director Peavy asked if the money to tear down the dilapidated houses came from the Public Works Department budget.

Building Official Shawn Maxey said yes.

Director Miner asked if the City hauled away the debris.

Building Official Shawn Maxey said the City ordered dumpsters from Western Waste. The City tore the structure down and put it into the dumpsters and then Western Waste would come haul it away.

Cordia Metcalf said she was concerned about the property on Charles Street. She said there was a ninety-eight year old woman that lived by herself next to both burnt properties. Ms. Metcalf said the woman just lost her son and the church goers came by and looked after her. Ms. Metcalf said she stopped by to check on her and she was sad, looking at both houses that were burnt but not yet torn down. She told her she would check with the City to see where they were on getting the structures torn down. Ms. Metcalf asked the City not to wait the ninety days and tear both structures down.

Mayor Brown closed the Public Hearing.

Resolution No. 2019-25 condemned a residential structure located at 309 Charles Street. (PWD)

Motion to adopt the resolution made by Director Hollibush, Seconded by Director Miner.

Voting Yea: Mayor Brown, Assistant Mayor Teeters, Director Harris, Director Hollibush, Director Odom, Director Miner and Director Peavy.

The Mayor declared the resolution adopted 7-0.

5. Ordinance No. 13-2019 authorized the issuance and sale of a General Revenues Note, Series 2019, by the City of Texarkana, Arkansas, in the principal amount of \$875,000. (FIN)

Finance Director TyRhonda Henderson said on May 20, 2019, the Board of Directors approved Resolution No. 2019-20 authorizing the City Manager to seek proposals for Amendment 78 financing of capital improvements for the Texarkana, Arkansas, Animal Care and Adoption Center in the amount of \$875,000. According to state statute, an ordinance must be adopted by the Board of Directors to finalize the issuance, sale, and terms of the note. The low bid was submitted by Regions Bank with an interest rate of 2.536%.

Mayor Brown said the ordinance read a little contradictory to itself regarding the interest rates.

Attorney Jim Fowler, Rose Law Firm said the bonds were tax exempt and bank qualified which was a better tax rate. He said if you changed the use of the animal shelter and leased it to a private individual then the bonds could be declared taxable. Mr. Fowler said as long as it was tax exempt, the interest rate would stay the same.

Mayor Brown said he assumed there was a finance cap of five years in Amendment 78.

Attorney Jim Fowler, Rose Law Firm said that was correct.

Mayor Brown said he supported the animal shelter and the City had to do something about it, but he wanted to look at how the City was going to make this loan payment for the five years to come without reducing the fund balance.

Finance Director TyRhonda Henderson said there had been a continual increase in sales tax revenue, property tax revenue, and franchise fees and she had watched this closely to make sure the City had money for the payment. She said the City issued the last Amendment 78 note in 2013 and it was paid in full in 2018.

Mayor Brown asked if she knew the current fund balance.

Finance Director TyRhonda Henderson she could not project that in the middle of the year because the City's two largest revenue sources were two months behind.

Director Harris asked Mayor Brown if he felt like this were a good option or should the City look into other options.

Mayor Brown said you would not find a cheaper financing rate.

Finance Director TyRhonda Henderson said this interest rate was by far lower than any of the others the City received.

Mayor Brown said he did support this, and this was the best interest rate and the City had the ability to pay the note. He said it might be strapping the City right now, but it needed to be taken care of and the City would find the money.

Motion to read the ordinance the first time in abbreviated form made by Director Harris, Seconded by Assistant Mayor Teeters.

Voting Yea: Mayor Brown, Assistant Mayor Teeters, Director Harris, Director Hollibush, Director Odom, Director Miner and Director Peavy.

The motion carried 7-0. The ordinance was read the first time in abbreviated form.

Motion to suspend the rules and place the ordinance on its second reading in abbreviated form made by Director Harris, Seconded by Director Hollibush.

Voting Yea: Mayor Brown, Assistant Mayor Teeters, Director Harris, Director Hollibush, Director Odom, Director Miner and Director Peavy.

The motion carried 7-0. The ordinance was read the second time in abbreviated form.

Motion to further suspend the rules and place the ordinance on its third and final reading in abbreviated form made by Director Harris, Seconded by Director Hollibush.

Voting Yea: Mayor Brown, Assistant Mayor Teeters, Director Harris, Director Hollibush, Director Odom, Director Miner and Director Peavy.

The motion carried 7-0. The ordinance was read the third and final time in abbreviated form.

Motion to adopt the ordinance made by Director Harris, Seconded by Director Hollibush.

Voting Yea: Mayor Brown, Assistant Mayor Teeters, Director Harris, Director Hollibush, Director Odom, Director Miner and Director Peavy.

The motion carried 7-0. The Mayor declared the ordinance adopted.

Motion to adopt the emergency clause made by Assistant Mayor Teeters, Seconded by Director Miner.

Voting Yea: Mayor Brown, Assistant Mayor Teeters, Director Harris, Director Hollibush, Director Odom, Director Miner and Director Peavy.

The motion carried 7-0. The Mayor declared the emergency clause adopted.

CITIZEN COMMUNICATION

Jennifer Alaniz, 1504 Harner, said her neighbor wanted her to sign something stating she would give them 15 foot of the alleyway but that would be giving them part of her backyard. She said a couple of years ago people walking through the alleyway started stealing things from her backyard and she called the City to see if she could put up a privacy fence. Ms. Alaniz said the man she spoke with said yes. She said her neighbor had knocked her fence down and placed private property signs and now she was not sure if she needed to keep maintaining the area or not.

Mayor Brown said she needed to make an appointment with the Public Works Department and the City Planner to see what needed to be done.

Assistant Mayor Teeters asked Ms. Alaniz if she wanted to put the fence back up.

Jennifer Alaniz said she would like to because people were walking through the yard and her house had been robbed. She said her neighbor said they had their land surveyed and 15 foot of the alleyway was theirs and she would not be able to use her driveway.

Assistant Mayor Teeters said the neighbor could not come to her and ask Ms. Alaniz to sign away 15 foot of the alleyway that was owned by the City.

City Manager Dr. Kenny Haskin asked Ms. Alaniz to speak with Public Works Director Tyler Richards and City Planner Mary Beck tonight after the Board meeting so they could help her move forward on this issue.

NEXT MEETING DATE: Monday, July 15, 2019

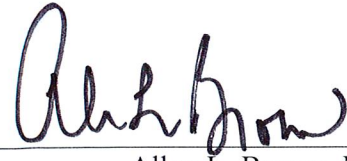
ADJOURN

Motion to adjourn made by Director Miner, Seconded by Director Odom.

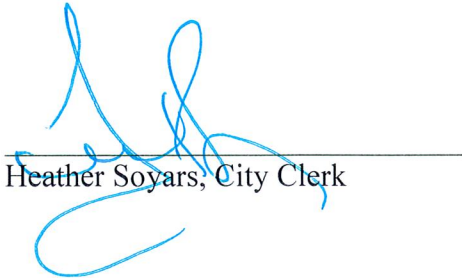
Voting Yea: Mayor Brown, Assistant Mayor Teeters, Director Harris, Director Hollibush, Director Odom, Director Miner and Director Peavy.

The motion carried 7-0. The meeting adjourned at 6:38 PM.

APPROVAL of the minutes on this 15th day of July, 2019.



Allen L. Brown, Mayor



Heather Soyars, City Clerk