



Regular Meeting of the Board of Directors

City of Texarkana, Arkansas

216 Walnut Street

Minutes - Monday, August 19, 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 4 Director Travis Odom, Ward 5 Director Barbara S. Miner, and Ward 6 Director Terri Peavy.

[Director Odom arrived at the meeting at 6:14 PM]

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

ABSENT: Ward 3 Director Steven Hollibush

Invocation and Pledge of Allegiance given by Mayor Allen Brown

CONSENT

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

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

1. Approval of the minutes of the regular meeting August 5, 2019. (CCD)
2. Resolution No. 2019-30 authorized the City Manager to purchase a Crew Cab 1 Ton Truck for the Public Works Department Streets Division. (PWD)

REGULAR

3. Mayor Brown opened the Public Hearing to allow citizen input regarding the use of Byrne Justice Assistance Grant Program monies for the Texarkana, Arkansas Police Department.

Lieutenant Zachary White said the Texarkana, Arkansas (TAPD) Police Department received money through the DOJ LLEBG Block Grant Program each year. He requested permission to submit the joint 2019 application and enter into an Inter-local Agreement with Miller County concerning the division of the funds in the amount of \$16,330.00. The money splits \$10,941.00 TAPD and \$5,389.00 with MCSO. This year we were eligible for a new grant "Byrne Justice Assistance Grant Program" or JAG in the amount of \$16,330.00 to be split with Miller County. Unless both City and County agreed to the disparate certification resolution for Texarkana/Miller County neither governmental

agency would receive funds. Miller County had agreed to take \$5,389.00 as their share to resolve the disparate certification. This was approximately a 67/33 split. There was an especially short window of opportunity to submit this application to the Board of Directors for approval of the JAG Grant, Public Comments and MOU with Miller County and then forward to the Department of Justice for processing.

Lieutenant Zachary White said TAPD proposed to use the City's share, (\$10,941.00) towards the purchase of six (6) Dell Latitude 5490 laptop computers. TAPD currently deploys Dell Latitude laptops as MDTs in the field, and these laptops had proven to be very stable and durable; however, the service life of most of our MDTs had been surpassed. There was no local match to either the City or County on this grant application.

Director Miner asked if this would replace all the computers.

Lieutenant Zachary White said no it would not. He said there were funds left over from the 2017 JAG Grant and the Police Department would be able to purchase seven (7) computers with those funds and six (6) with the new funds. Lieutenant Zachary White said with the purchase of thirteen (13) new computers it would replace all the computers purchased in 2014.

Assistant Mayor Teeters asked if the old computers would be donated.

Lieutenant Zachary White said he would not donate them due to the content on the computers, but they would be able to use some of them as spare computers in case one went down.

No one else came forward and Mayor Brown closed the Public Hearing.

Resolution No. 2019-31 granted permission to submit the 2019 application and further authorized the City Manager to execute a Memorandum of Understanding (MOU) Interlocal Agreement with Miller County, regarding the Byrne Justice Assistance Grant (JAG-yearly grant).

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

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

Mayor Brown declared the resolution adopted by a 5-0 vote.

4. Ordinance No. 17-2019 levied the 2019 tax rate. (FIN)

Finance Director TyRhonda Henderson said each year, the City was required to establish the property tax levy for that year which was then applied by the County to property tax bills in the next year. The proposed 2019 tax levy was the same as in prior years—5 mils for general fund operations, 1 mil for the fire pension fund, 1 mil for the police pension fund, 1 mil for the library fund, and 2.5 mils for general obligation bond debt service payments. Passage of this ordinance would not increase property tax rates for any City resident.

Director Miner asked what the property tax rate was.

Finance Director TyRhonda Henderson said 54.9 mils.

Director Peavy asked if this millage were where the street maintenance came from.

Finance Director TyRhonda Henderson said the street millage was from a separate millage and the rate was .3 mils.

Director Peavy said on a \$300,000.00 home the street department would receive \$18.00. She said the rate had been the same since 2007 and the Miller County Quorum Court had the authority to raise the millage.

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 Miner and Director Peavy.

The motion carried 5-0. 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 Assistant Mayor Teeters, Seconded by Director Miner.

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

The motion carried 5-0. 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 Miner, Seconded by Director Harris.

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

The motion carried 5-0. The ordinance was read the third and final time in abbreviated form.

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

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

The motion carried 5-0. The Mayor declared the ordinance adopted.

CITIZEN COMMUNICATION

Director Peavy asked Public Works Director Tyler Richards for an update on the lights on the interstate.

Public Works Director Tyler Richards said last week they completed the lights in the median between Jefferson Avenue and Four States Fair Grounds. He said two weeks before, the twelve light high mass between Stateline Avenue and Jefferson Avenue were also completed and the only ones left were the smaller four light high mass between Jefferson Avenue and Four States Fair

Grounds bridges. Public Works Director Tyler Richards said those might take longer since there was a hoist that had to be used and some of them were broken.

Director Odom arrived at the meeting at 6:14 PM.

Director Peavy asked Public Works Director Tyler Richards the status of the Regency Building.

Public Works Director said he was in the process of obtaining bids to demolish the building.

Director Peavy asked if the City had to pay.

Public Works Director said yes, the property owner was nowhere to be found.

Mayor Brown said there was an item on the agenda pulled from tonight's meeting and he knew the high importance it was for the Board on moving forward for the competitive pay for the Police and Fire Department. He said he believed neither associations agreed with the ordinance on the table for its third and final reading and he personally felt the Board would be going down the wrong road trying to pass an ordinance neither entities support. Mayor Brown said he felt like the Board had not had enough input from both entities to come to an agreement and he encouraged Assistant Mayor Teeters and staff to meet with these entities and try to get a conclusion since the clock was ticking. He said there was a Police Association ordinance he read, and he would support if it were on the table tonight. Mayor Brown said within the next week he hoped these entities with the direction of Assistant Mayor Teeters would get together and look at the Police Association ordinance and come to a conclusion. He said he felt the Board would have to immediately address the pay differential between the two entities which was 2%.

Assistant Mayor Teeters said she was more than willing to work with anyone, it was all about compromise. She said the ordinance language had been changed at least four times and not everyone would be 100% happy. Assistant Mayor Teeters said she did not want to call another meeting if it were just going to be attack mode. She said her name was on the ordinance because she sponsored the ordinance not because she wrote it, but she did not mind speaking with people about it at all.

Mayor Brown said this would be an effort to look at the differences between what the Police Association had proposed and what was currently on the table.

Chief Harrison said the officers under five years were wondering if the pay issue were ruled unconstitutional would they lose their job. He said the officers had all seen a letter on social media stating up to twenty officers could lose their jobs. Chief Harrison said they did not understand how the City could not do a 2% increase verses lose \$2 million from the parity tax. He said he wanted the Board to understand there would be devastating consequences if they had to reduce the number of officers in today's environment. Chief Harrison said he asked the Board to come to a conclusion concerning parity pay. He said he felt like all the City employees should receive a Cost of Living Adjustment (COLA) since it had been about five or six years.

Assistant Mayor Teeters asked Finance Director TyRhonda Henderson would the ordinance sponsored by her give the police the 2% increase.

Finance Director TyRhonda Henderson said yes.

Assistant Mayor Teeters said she agreed with Chief Harrison, but the Board had to word the ordinance to be legal in the state and the word parity could not be used. She said it was the word parity that was unconstitutional, not the raise. Assistant Mayor Teeters said she would do whatever it took to save the tax and be constitutional in the State of Arkansas.

John Warmack said there was a letter sent through the plaintiff's lawyer suggesting something be done at tonight's meeting and they never received a reply. He said they sent a proposal and were halfway there in getting a workshop scheduled for this week. John Warmack said he thought it would be a great idea if the City Manager came up with a simplified plan if the judge ruled the tax were unconstitutional, what would be the new staffing plan. He said this issue was a major issue for the City and he wanted it to be the number one priority and get it resolved.

No one else came forward.

NEXT MEETING DATE: Tuesday, September 3, 2019

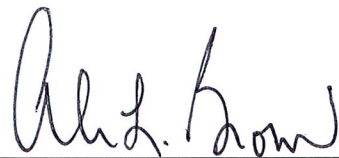
ADJOURN

Motion to adjourn made by Director Miner, Seconded by Assistant Mayor Teeters.


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

The motion carried 6-0. The meeting adjourned at 6:33 PM.

APPROVAL of the minutes on this 3rd day of September, 2019.



Allen L. Brown, Mayor



Heather Soyars, City Clerk