



Regular Meeting of the Board of Directors

City of Texarkana, Arkansas

216 Walnut Street

Minutes - Monday, September 16, 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, and City Clerk Heather Soyars.

ABSENT: Deputy City Clerk Jenny Narens.

Invocation and Pledge of Allegiance given by Director Terri Peavy

PRESENTATION(S)

1. Mayor Brown presented a proclamation to TWU-IT Manager Kevin Davenport for IT Professionals Day, September 17, 2019.

[Director Odom left his seat at the dais and went into the audience at 6:03 PM.]

CONSENT

Director Harris requested Item 3. Adopt a Resolution to amend the year end 2019 Budget to include a 2% pay increase for all City employees. (FIN) to be removed from the Consent Agenda for discussion.

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

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

2. Approval of the minutes of the rescheduled regular meeting September 3, 2019. (CCD)

REGULAR

[Director Odom returned to his seat at 6:10 PM]

3. Resolution No. 2019-33 amended the year end 2019 Budget to include a 2% pay increase for all City employees. (FIN)

Director Harris said he was glad all City employees were going to receive a pay increase.

Motion to adopt the resolution 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.

Mayor Brown declared the resolution adopted by a 7-0 vote

4. The Mayor opened the Public Hearing to hear public comments regarding the condemnation of a substandard residential structure located at 307 Charles Street.

Building Official Shawn Maxey said the structure at 307 Charles Street had a fire and was destroyed and now the City was maintaining the property. He was asking the Board to condemn the residence.

Director Harris said behind the property was a dumping ground and asked how the City was going to handle this situation.

Building Official Shawn Maxey said unless the City caught the person in the process of dumping trash or someone told the City who was doing it, there was nothing the City could do.

Director Harris asked when the two houses were going to be torn down.

Building Official Shawn Maxey said the houses were scheduled right now to be torn down.

Director Harris asked when the house that was burned down on the corner of Dudley and Cleveland, and another house on Spring Street and Grape Street was going to be brought before the Board for condemnation.

Building Official Shawn Maxey said he had one hundred and fifty tagged structures and thirty five were burned. He said he would bring them before the Board around the first of the year for condemnation.

Director Miner asked if the person dumping trash on the property had anything to do with the homeowners.

Building Official Shawn Maxey said he had been told it was the son of the property owners.

Mayor Brown asked if anyone had any comments. No one came forward and the Mayor closed the Public Hearing.

Resolution No. 2019-34 condemned a residential structure located at 307 Charles Street. (PWD)

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

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

Mayor Brown declared the resolution adopted by a 7-0 vote.

5. Mayor Brown opened the Public Hearing to hear public comments concerning the Community Development Block Grant (CDBG) Section 108 Loan in the amount of \$885,000 to rehabilitate #1 Legion Drive to provide youth, adult and senior recreational services to our citizens. (PWD)

Jim Fowler, Rose Law Firm said this was a Housing and Urban Development (HUD) program to extend money to local governments. It allowed them to borrow money at the rate the Federal government did. He said there were issues with the standard HUD forms, but he and Assistant Public Works Director Tracie Lee had been able to negotiate and approve better documents for the City. Jim Fowler said he had not received the documents yet and would like to table the ordinance until the next meeting and hopefully he would have the documents.

Motion to table the ordinance until the next meeting, motion made by Assistant Mayor Teeters, Seconded by Director Peavy.

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

Director Harris voted present.

Director Odom refrained from voting.

Mayor Brown declared the ordinance was tabled by a 5-2 vote.

6. TABLED - Adopt an Ordinance to establish an Entertainment District that allowed open containers of alcohol and consumption in the district. (SECOND READING) (*This item recommended for Board approval by the Planning Commission*) (PWD-Planning)

Mayor Brown recommended tabling the original ordinance due to several changes that were made and read for the first time the new ordinance. He said he had been contacted by several citizens and they would like this ordinance to be passed tonight if possible.

City Planner Mary Beck listed some of the changes made to the ordinance: State Statute stating there would be no open containers allowed in motorized vehicles; a licensee may allow carryout of an open container in the entertainment district but no one would be able to carry an open container into a business establishment; the City was to provide trash cans and daily pick up as needed; there would be a review in June 2020 and January 2021 the Planning Commission would gather information from the Public Works Department, Fire Department, and the Police Department and bring a report to the Board.

Director Miner asked if issues were to arise, who would be the ruling party.

City Planner Mary Beck said the Board would be after the Planning Commission prepared the report.

City Manager Dr. Kenny Haskin said in the event there needed to be action taken, the Board would be able to take immediate action to address issues.

Director Peavy asked if issues arose would the Board have to wait six months before anything would be done.

City Planner Mary Beck said no.

City Manager Dr. Kenny Haskin said if there were any concerns from citizens, Board members or businesses, it would be addressed promptly. The City would not wait six months to address any issues.

Director Miner said she thought it would need to be monitored closely at first.

Mayor Brown said once the ordinance had been adopted then the Board had the option to change and review anything. He said he accepted the changes and the one statement he would add would be the district would be reviewed annually after January 2021.

Director Peavy asked if it could say reviewed as needed.

Director Harris said he had citizens ask him a few years ago if Texarkana, Arkansas, could get a street like Beale Street in Memphis and he thought it was against the law at that present time. He said another citizen asked him about getting a daiquiri shop and he was not sure if the law allowed it.

Mayor Brown said the State Legislative adopted the law that allowed the entertainment district this past session.

City Attorney George Matteson said the Alcohol Beverage Control (ABC), in Little Rock, Arkansas, was the one who regulated the sale and distribution of alcohol. If that type of business would fit in the zoning regulations yes, you could have that type of business.

Director Harris said he had not had anyone from his ward ask him to deny this ordinance.

Assistant Mayor Teeters asked if a business wanted to be open and sell alcohol on Sunday it would be up to the business.

City Attorney George Matteson said again it was governed by the state and most of the businesses were private clubs.

Assistant Mayor Teeters said if the City had a festival downtown on a Sunday and the business had the permit, liquor could be sold.

City Attorney George Matteson said yes.

Assistant Mayor Teeters said you could not walk into another business that did not have the permits.

Director Peavy asked who granted permits for Sunday sells of alcohol.

Mayor Brown said ABC would.

Director Peavy asked if the signs and trash cans would be ready to go within the thirty days of the ordinance being adopted.

Public Works Director Tyler Richards said yes.

Motion to table the original ordinance made by Assistant Mayor Teeters, Seconded by Director Hollibush.

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

Mayor declared the original ordinance tabled by a vote of 7-0.

Ordinance No. 20-2019 established an Entertainment District that allowed open containers of alcohol and consumption in the district. *(This item recommended for Board approval by the Planning Commission)* (PWD-Planning)

The ordinance was read in its entirety.

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

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.

Director Peavy asked what the fifty mile radius was from the previous meeting regarding competitive pay.

City Manager Dr. Kenny Haskin said the fifty mile radius was not part of the ordinance that was adopted, the City addressed the region, not the fifty mile radius.

Director Harris asked when the Iron Mountain Center would be cleaned up. He asked when the entire City would have a clean up to remove all the dumped furniture on the sides of streets.

Public Works Director Tyler Richards said his department picked up furniture every day and it was impossible to get it all. He said as people complain, Public Works immediately got it picked up.

Director Harris asked if the residents got charged for the pickup of furniture due to the ordinance that was adopted.

Public Works Director Tyler Richards said if a resident set any furniture out on their curb to pick up, they would be charged for it through the Dial A Truck program.

Director Harris asked when the City wide cleanup was.

Public Works Director Tyler Richards said the City did not organize the city wide cleanup.

Director Harris said he thought the City needed to have a cleanup since there was a lot of trash and furniture especially around the railroad tracks.

Mayor Brown said maybe the City could address this in the budgeting process and could allocate funds for a cleanup.

Assistant Mayor Teeters said the trash issue was a problem with the citizens not the City officials. She said Public Works could go out and pick up the trash every day and it would be back the next day.

Director Harris said he just wanted each ward to help in the cleanup of the City.

CITIZEN COMMUNICATION

Ina McDowell, Mainstreet, thanked the Board for the continued support of the downtown area as well as Mainstreet. She said Dine on the Line was October 4, 2019, from 5:00 PM – 9:00 PM. Ms. McDowell said the theme was “date night,” and dinner would be served this year instead of standing in line for it. She said there would be plenty of local entertainment and the unveiling of the Dr. Pepper mural next to TLC. Ms. McDowell said Mainstreet would have design staff in town next Tuesday from Little Rock, Arkansas.

Mayor Brown said he was scared to death this past weekend going “Over the Edge” for Alzheimer but once he realized the rope had him, it was better. He said it was for a great cause and he would let Assistant Mayor Teeters do it next year.

George Dodson, Hopkins Icehouse, thanked the Board for adopting the ordinance for the entertainment district and the confidence the Board had in the businesses downtown. He said if there were any problems or anything he could help with, please come and find him.

Animal Care and Adoption Center Director Charles Lokey said he wanted to give an update on the plans for the new shelter. He said last month he sent out proposals for architectural services and received two proposals back. Mr. Lokey said one proposal left out some major details and the other proposal covered everything from beginning to the end and offered to oversee the construction process and biddings.

NEXT MEETING DATE: Monday, October 7, 2019

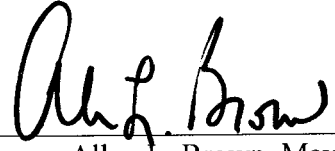
ADJOURN

Motion to adjourn made by Director Miner, 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 meeting adjourned at 6:57 PM.

APPROVAL of the minutes on this 7th day of October, 2019.



Allen L. Brown, Mayor



Heather Soyars, City Clerk