



Regular Meeting of the Board of Directors

City of Texarkana, Arkansas

216 Walnut Street

Minutes - Monday, October 07, 2019 - 6:00 PM

Mayor Allen Brown called the meeting to order.

PRESENT: Mayor Allen Brown, Ward 2 Director Laney J. Harris, Ward 3 Director Steven Hollibush, Ward 5 Director Barbara S. Miner, and Ward 6 Director Terri Peavy.

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

ABSENT: City Manager Dr. Kenny Haskin, Ward 1 Assistant Mayor Linda Teeters, and Ward 4 Director Travis Odom

Invocation and Pledge of Allegiance given by Mike Malone, Chamber of Commerce President

PRESENTATION(S)

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

Mayor Brown acknowledged Mark Yarnell for five years of service and Jared McCreery for ten years of service with Texarkana Water Utilities Department.

2. Presentation of the FY 2018 Audit. (FIN) Finance Director TyRhonda Henderson

Cynthia Burns, BKD, LLP, gave a brief presentation and said the objectives for the audit were to provide opinion on whether the financial statements were fairly stated; reported on compliance with certain laws and regulations; issued report on internal controls over financial report and compliance requirements; and issued a report on compliance with certain laws. She said the examination of the City's compliance with certain Arkansas State Acts reported an unmodified opinion on City's compliance. An unmodified opinion was the best opinion. Ms. Burns said the Certificate of Achievement for Excellence in Financial Reporting was awarded by the Government Finance Officers Association. The City received the 2017 award and applied for 2018.

CONSENT

Director Harris requested Item 4. Adopt a Resolution accepting the year end 2018 Audit report. (FIN); Item 5. Adopt a Resolution authorizing the City Manager to enter into a Purchase Agreement with Davis Playgrounds for Five (5) Shade Structures. (PWD); Item 6. Adopt a Resolution authorizing the City Manager to enter into an agreement with Vessel Church for the purchase of 108 East Broad Street. (PWD) to be removed from the Consent Agenda for discussion.

Motion to approve the Consent Agenda made by Director Miner, Seconded by Director Hollibush. The motion carried unanimously, and Mayor Brown declared the Consent Agenda approved. The items approved were:

3. Approval of the minutes of the regular meeting September 16, 2019. (CCD)
7. Resolution No. 2019-35 accepted the proposal of Trull-Hollingsworth Architects for architectural services and entering into an agreement for the Animal Care and Adoption Center improvements. (ACAC)

REGULAR

4. Resolution No. 2019-36 accepted the year end 2018 Audit report. (FIN)

Director Harris said he wanted to let the new Board members know the State could perform an audit at no cost to the City. He said the State did not audit grants and it might take a little longer than BKD, LLP, but he wanted them to be aware.

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

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

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

5. Resolution No. 2019-37 authorized the City Manager to enter into a Purchase Agreement with Davis Playgrounds for Five (5) Shade Structures. (PWD)

Director Harris asked if the funding were from the Community Development Block Grant (CDBG) fund. He said in his opinion the City should not use the CDBG fund for the shade structures, it should be used to enhance the quality of life. Director Harris said in his ward there were many burnt houses and streets that could benefit from the CDBG fund instead of purchasing shade structures.

Director Peavy asked where the shade structures were going to be located.

Public Works Director Tyler Richards said they would be placed at the Pondexter Sports Complex. He said the Public Works Department was in the process of using CDBG funds to fix three streets in the low to moderate income area. Mr. Richards said CDBG funds were also used on the neighborhood centers and sidewalks as well.

Mayor Brown said this was an opportunity to enhance the Pondexter Sports Complex for future tournaments.

Public Works Director Tyler Richards said the Pondexter Sports Complex was the only complex in Texarkana that did not have the shade structures.

Director Peavy said the Pondexter Sports Complex was always full when a tournament was going on and was thankful for the shade structures.

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

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

Voting No: Director Harris

Mayor Brown declared the resolution adopted by a 4-1 vote.

6. Resolution No. 2019-38 authorized the City Manager to enter into an agreement with Vessel Church for the purchase of 108 East Broad Street. (PWD)

Director Harris asked how much it cost to have the building torn down and what was the City going to do with the metal ladder in the back of the building.

Public Works Director Tyler Richards said the fire escape was on the Regency House not the building on 108 East Broad and the Regency House would be torn down along with this property at the same time. He said the exact cost to tear down the buildings was not available until after the inspections were finished. Mr. Richards said it would cost less to tear the building down than to rebuild it.

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

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

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

8. Resolution No. 2019-39 approved Texarkana Water Utilities (TWU) FY 2019/2020 Budget. (TWU)

TWU Finance Director Jim Cornelius gave a PowerPoint presentation of the budget summary. He said the AR/TX Ratio was 36.78/63.22%. He outlined the master fee list recommendations for services. The fees would help recoup the cost of those services. Other highlights included depreciation fund projects planned for the wastewater treatment plants, the water treatment plants and capital improvements/infrastructure projects.

Mayor Brown asked if the City should be concerned about the ending fund balance since it was half of what the City normally had over the past several years.

Executive Director JD Phillips said one issue was having to fund the Jet Truck a year early and there were several big projects needed to be done this year. He said the revenue was way down this year also.

Director Harris asked what the longevity was for the plant on New Boston Road.

Executive Director JD Phillips said it would continue to run until the Riverbend Company was up and running.

Director Miner said she commended the staff at TWU for their work.

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

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

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

9. Ordinance No. 21-2019 granted the request for prerequisite municipal approval of a private club application for 511 E. 51st Street. (Bill Davis) (CCD)

The applicant requests an emergency clause. An emergency clause requires a separate and distinct vote of the board and is valid only if there is a two-thirds vote of approval by the board. (Hdbk. Const. Amend 7)

Mr. Davis said he purchased the property at 511 E. 51st Street and he was getting the permits, having it inspected and making sure the building was up to code.

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

Voting Yea: Mayor Brown, Director Harris, Director Hollibush. 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 Director Harris, Seconded by Director Hollibush.

Voting Yea: Mayor Brown, Director Harris, Director Hollibush. 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 Harris, Seconded by Director Hollibush.

Voting Yea: Mayor Brown, Director Harris, Director Hollibush. 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 Director Harris, Seconded by Director Hollibush.

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

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

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

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

The motion carried 5-0. The Mayor declared the emergency clause adopted.

10. Adopt an Ordinance amending the *City of Texarkana, Arkansas Code of Ordinances* to allow food trucks in commercial and industrial zones. (This agenda item sponsored by Director Steven Hollibush) (PWD-Planning) City Planner Mary Beck

The applicant requests an emergency clause. An emergency clause requires a separate and distinct vote of the board and is valid only if there is a two-thirds vote of approval by the board. (Hdbk. Const. Amend 7)

City Planner Mary Beck said Director Hollibush contacted staff with the request allowing food trucks in various zones in the city. She said the Planning Commission held two workshops and voted on September 10, 2019, to recommend approval to the Board of Directors allowing food trucks in commercial and industrial zones except the office quite zones. Ms. Beck said they had support from business owners and had no opposition.

Mayor Brown said this would coincide with the entertainment district because they would be permitted inside the district.

City Planner Mary Beck said the food truck vendors would be permitted on any private property and any commercial and industrial zone. She said the public property would fall under the Public Works Department to control.

Mayor Brown said it looked like the ordinance addressed a food truck vendor parking in front of someone's business without permission.

City Planner Mary Beck said that would be handled on a case by case basis with the permitting process.

Mayor Brown asked if the food truck vendor had to receive a permit through the City to operate the truck and then the City would receive sales tax off the items sold on the food truck.

City Planner Mary Beck said yes.

Director Miner said the Board set the restriction requirements the unit had to have.

City Planner Mary Beck said yes. She said this ordinance only dealt with the zoning since the original ordinance had the food truck vendors restricted to certain areas.

Director Hollibush wanted to thank Ms. Beck for all the hard work she did on this ordinance. He said he thought this would help the City bring more food truck vendors into town and thought it was a great ordinance to support.

Director Harris said he did not think there was enough time given to the brick and mortar businesses and wanted to hear from them. He said he did not know there were restrictions on where the food truck vendors could be parked. Director Harris asked what the enforcement process was.

City Planner Mary Beck said this ordinance would make it legal to have food truck vendors on private property.

Motion to read the ordinance the first time in abbreviated form made by Director Hollibush, Seconded by Director Miner.

Voting Yea: Mayor Brown, Director Harris, Director Hollibush. 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 Director Hollibush, Seconded by Director Peavy.

Voting Yea: Mayor Brown, Director Harris, Director Hollibush. 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 Hollibush, Seconded by Director Miner.

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

Voting No: Director Harris

Mayor Brown declared the motion failed by a vote of 4-1.

Mayor Brown said the third reading would be at the next Board meeting on October 21, 2019.

11. Ordinance No. 22-2019 rezoned property located at 4203 Preston Street from R-2 Single-family Residential to O-1 Office Quiet Commercial. (Animal League) (This item recommended for Board approval by the Planning Commission) (PWD-Planning)

City Planner Mary Beck said this property was constructed with a conditional use permit in the R-2 Residential zone for a square dance club. She said after the property owner passed away the property was deeded to the Animal League for an adoption center. Ms. Beck said since it was in a residential area it never seemed to be a good location with all the noise factors associated with the animals. Ms. Beck said the Animal League was asked about having a medical billing office there, and they applied for a rezoning to an O-1 Office Quiet. She said there was no opposition from the Planning Commission, and it was approved by a 6-0 vote. Ms. Beck said the person who planned to start the business realized he needed to do some upgrades to the parking area and some building improvements. She said he decided to do something different, but the Animal League wanted to continue with the rezoning. Ms. Beck said the Planning Commission recommended approval.

Motion to read the ordinance the first time in abbreviated form made by Director Miner, Seconded by Director Hollibush.

Voting Yea: Mayor Brown, Director Harris, Director Hollibush. 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 Director Miner, Seconded by Director Hollibush.

Voting Yea: Mayor Brown, Director Harris, Director Hollibush. 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 Hollibush.

Voting Yea: Mayor Brown, Director Harris, Director Hollibush. 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 Director Peavy, Seconded by Director Miner.

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

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

CITIZEN COMMUNICATION

Brenda Watson-Blevins said she was a representative of the Iron Mountain Community and she wanted to address some issues they were having within their ward. She gave handouts that had pictures with the damaged streets, potholes, and overgrown places. Ms. Watson-Blevins said there were a few disabled residents that needed help with their damaged homes and asked if there were any funding that could help them.

Lavennier Brown and Teara Lindum with Arkansas Rehab Services, said they wanted to make the Board aware that October was National Disability Employment Awareness Month. Ms. Brown said this was a time to raise awareness about some of the struggles the disabled employees had and to highlight the accomplishments of the employers who work with the disabled citizens. Ms. Brown said they provided several different services to help the disabled citizens who were wanting to work and keep a job. Ms. Lindum said all the services they offered were free of charge since it was a state agency.

Jeff Brown with the City Beautiful Commission said there would be a city wide clean up this Saturday, October 12, 2019, starting at 9:00 AM and invited all Board members to come and help. He said they were going to meet at the Fire Station, and they had supplies to give out. Mr. Brown said there would be dumpsters located at the Sandflat Center, Iron Mountain, and Bramble Park parking lot. He encouraged everyone to come and help get Texarkana cleaned up.

Director Harris asked if the City would use the grapple truck to pick up items the elderly citizens needed to put in the dumpster.

Public Works Director Tyler Richards said no. He said the grapple truck would be used that day; it would have designated areas to pick up items the cleaning crews had put out for it.

Fredrick Johnson said he was from the Iron Mountain neighborhood and there were many fire damaged homes waiting to be torn down. He asked if the City could give more than three hours for the clean up on Saturday. Mr. Johnson asked if the City could do something with the old Inghram swimming pool. It had water in it and the mosquitoes were very bad.

Director Harris read a proclamation from the State of Arkansas Governor proclaiming October 2019, as Visit Your School Month.

NEXT MEETING DATE: Monday, October 21, 2019

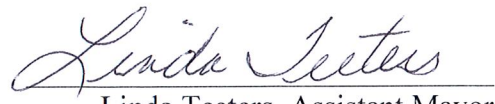
ADJOURN

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

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

The motion carried 5-0. The meeting adjourned at 7:33 PM.

APPROVAL of the minutes on this 21st day of October, 2019.


Linda Teeters, Assistant Mayor


Heather Soyars, City Clerk