



Regular Meeting of the Board of Directors

City of Texarkana, Arkansas

216 Walnut Street

Minutes - Monday, May 03, 2021 - 6:00 PM

Mayor Brown called the meeting to order at 6:00 PM.

PRESENT: Mayor Allen Brown, Ward 1 Director Terry Roberts, Ward 2 Director Laney Harris, Assistant Mayor Ward 3 Steven Hollibush, Ward 4 Director Ulysses Brewer, Ward 5 Director Barbara Miner and Ward 6 Director Jeff Hart.

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

The Invocation and Pledge of Allegiance were given by Director Terry Roberts.

CONSENT

Assistant Mayor Hollibush made the motion to adopt the Consent agenda, Seconded by Director Hart. The motion carried and the following items were approved:

1. Approval of the minutes of the called meeting April 8, 2021, and the regular meeting April 19, 2021. (CCD)
2. Resolution No. 2021-23 - authorized the Interim City Manager to enter into a contract for the South Regional Wastewater Treatment Plant Chiller Replacement Project. (TWU)
3. Resolution No. 2021-24 - amended the FY2021 Budget (Resolution No. 2020-39) and the Public Works Budget to include the expense for Sanderson Lane, Cherry Street and East 50th Street Road Improvements. (PWD)

REGULAR

4. Ordinance No. 13-2021 - purchased three new vehicles to be used by the Bi-State Narcotics Task Force. (TAPD)

Captain Bobby Jordan said he would be glad to answer any questions concerning this item.

Motion to suspend the rules and place the ordinance on its first reading in abbreviated form made by Assistant Mayor Hollibush, Seconded by Director Brewer.

Voting Yea: Mayor Brown, Director Roberts, Director Harris, Assistant Mayor Hollibush, Director Brewer, Director Miner, and Director Hart.

The motion carried 7-0 and 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 Assistant Mayor Hollibush.

Voting Yea: Mayor Brown, Director Roberts, Director Harris, Assistant Mayor Hollibush, Director Brewer, Director Miner, and Director Hart.

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

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

Voting Yea: Mayor Brown, Director Roberts, Director Harris, Assistant Mayor Hollibush, Director Brewer, Director Miner, and Director Hart.

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

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

Mayor Brown asked if anyone would like to speak for or against this ordinance.

No one came forward.

Voting Yea: Mayor Brown, Director Roberts, Director Harris, Assistant Mayor Hollibush, Director Brewer, Director Miner, and Director Hart.

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

An emergency clause is requested. 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.

Motion to adopt the emergency clause made by Director Brewer, Seconded by Director Roberts.

Voting Yea: Mayor Brown, Director Roberts, Director Harris, Assistant Mayor Hollibush, Director Brewer, Director Miner, and Director Hart.

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

5. Ordinance No. 14-2021 - rezoned a track of land located on Oak Hollow Lane from R-1 Rural residential to R-2 Single family residential. (PWD-Planning)

Public Works Director Tyler Richards gave a brief summary of the item.

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

Voting Yea: Mayor Brown, Director Roberts, Director Harris, Assistant Mayor Hollibush, Director Brewer, Director Miner, and Director Hart.

The motion carried 7-0 and 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 Brewer, Seconded by Assistant Mayor Hollibush.

Voting Yea: Mayor Brown, Director Roberts, Director Harris, Assistant Mayor Hollibush, Director Brewer, Director Miner, and Director Hart.

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

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

Voting Yea: Mayor Brown, Director Roberts, Director Harris, Assistant Mayor Hollibush, Director Brewer, Director Miner, and Director Hart.

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

Motion to adopt the ordinance made by Director Hart, Seconded by Director Roberts.

Mayor Brown asked if anyone would like to speak for or against this ordinance.

No one came forward.

Voting Yea: Mayor Brown, Director Roberts, Director Harris, Assistant Mayor Hollibush, Director Brewer, Director Miner, and Director Hart.

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

6. Ordinance No. 15-2021 - rezoned a tract of land located at Parker Lane and Mandeville Road from M-1 Limited manufacturing to R-1 Rural residential. (PWD Planning)

Public Works Director Tyler Richards gave a brief summary of the item. He stated the Airport Authority was opposed to construction within the proposed safety zone intended for an expansion planned to the runway on the north side of Texarkana Regional Airport.

Texarkana Regional Airport Director Paul Mehrlich said if the airport were to build a runway expansion it could affect a specific tract of the property owner's land. He said once the feasibility study was performed then the airport would know where the runway protection zone would be and if it would affect the tract of land. Mr. Mehrlich just wanted to caution the property owner that if the tract of land were in the runway protection zone, the airport would have to purchase that part of his property.

Property Owner Jeremy Lindsey said it could take years for the airport to decide if they could build a runway expansion and he was ready to build his family home. He understood he could be forced out of that specific part of the property, but he still wanted to move forward.

Director Hollibush asked if it were possible to extend the runway the other direction instead of in Mr. Lindsey's property.

Texarkana Regional Airport Director Paul Mehrlich said no, due to the runway protection zone on the other side as well. He said there was a freeway and an industrial area that included rail. Mr. Mehrlich said those structures were non-movable.

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

Voting Yea: Mayor Brown, Director Roberts, Director Harris, Assistant Mayor Hollibush, Director Brewer, Director Miner, and Director Hart.

The motion carried 7-0 and 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 Assistant Mayor Hollibush.

Voting Yea: Mayor Brown, Director Roberts, Director Harris, Assistant Mayor Hollibush, Director Brewer, Director Miner, and Director Hart.

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

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

Voting Yea: Mayor Brown, Director Roberts, Director Harris, Assistant Mayor Hollibush, Director Brewer, Director Miner, and Director Hart.

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

Motion to adopt the ordinance made by Director Hart, Seconded by Director Miner.

Mayor Brown asked if anyone would like to speak for or against this ordinance.

No one came forward.

Voting Yea: Mayor Brown, Director Harris, Assistant Mayor Hollibush, Director Brewer, Director Miner, and Director Hart.

Voting Nay: Director Roberts

The motion carried 6-1 and the Mayor declared the ordinance adopted.

7. FIRST READING - Adopt an Ordinance amending certain procedural provisions of the *City of Texarkana, Arkansas Code of Ordinances* pertaining to the Board of Directors' Rules of Order and Procedure. (BOD) (This item was added to the agenda at the request of Director Laney Harris.)

Director Harris said the Rules of Order was changed in July 2017, stating if a Board member wanted an item on the agenda, they would have to have department head's approval. He said he wanted to allow the City Manager and the City Clerk to place items on the agenda even if it were past the deadline. Director Harris said he wanted to have comments from the Mayor and the Board placed back on citizen communication. He also wanted to let any citizen come and make a presentation not just city staff or a commissioner. Director Harris wanted to make sure citizen communication was televised. He said if an item on the agenda were not passed, he would like it to be only (30) days before it could be placed back on the agenda instead of (180) days.

Mayor Brown said he had several issues on how things were worded, and it would need to be changed. He said these provisions were put in place to provide structure in the meetings between city staff, the Board of Directors, and the citizens. Mayor Brown said he did not support this item in the form it was in because he felt like the control of the meetings would be lost. He said he would like to have a workshop to discuss this item further.

Director Harris said the City Attorney should only approved the legal requirements and not the content of an item.

Mayor Brown said the City Attorney only looked at the item from the legal standpoint. He said the City Attorney would review the item to see if it would be approved by Municipal Code not the content of the item.

City Attorney George Matteson said he only approved the legal aspect of the item, not the content of the item.

Director Brewer said it seemed like the protocol was already in place and would be redundant to go through with this ordinance.

City Attorney George Matteson said this ordinance had a few changes in it, but they were both very similar.

Director Miner said she was glad the meetings were more business-like instead of what they used to be in the past.

Assistant Mayor Hollibush asked if Director Harris would be willing to have a workshop to discuss the agenda item.

Director Harris said he did not know what the workshop would do, but he would be willing to have one.

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

Voting Yea: Mayor Brown, Director Roberts, Director Harris, Assistant Mayor Hollibush, Director Brewer, Director Miner, and Director Hart.

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

No further action was taken.

CITIZEN COMMUNICATION

David Peavy, 105 Olive Street, proposed a Citizen Communication policy to the Board (attached). He would like the opportunity for the Board to be able to respond to citizens questions and concerns.

Linda Teeters, 225 Summit Drive, said she was a previous Board Director and she had never been told she could not speak, they were just told not to argue with the citizens. She asked why was the Assistant City Manager that was in place or a staff member that had city business expertise not selected as the Interim City Manager. Ms. Teeters said why did we have to go outside the city staff and select an Interim City Manager. She said there was a policy in place for how city staff and officials were to conduct themselves on social media. Ms. Teeters said to please be professional and careful when on social media.

EXECUTIVE SESSION

The Board entered Executive Session at 6:52 PM.

The Board meeting reconvened at 7:20 PM.

Mayor Brown asked Express Professionals Joey Martin to give a brief update on the search for a city manager.

Mr. Martin said 44 candidates responded to the ad for the position, 30 candidates met the qualifications, and then 14 were presented to the Personnel Department. He said 3 were chosen

from the Board to go to the second round of questions. Mr. Martin asked if a Zoom meeting could be the next step in the process.

Mayor Brown asked if the Board could be sent a link for the Zoom meeting and would it need to be held in executive session.

City Attorney George Matteson said yes, it would need to be considered an executive session.

Mayor Brown said yes, they would be willing to perform a Zoom meeting to interview the 3 candidates.

NEXT MEETING DATE: Monday, May 17, 2021

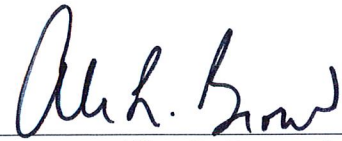
ADJOURN

Motion to adjourn made by Director Brewer, Seconded by Director Hart.

Voting Yea: Mayor Brown, Director Roberts, Director Harris, Assistant Mayor Hollibush, Director Brewer, Director Miner, and Director Hart.

The meeting adjourned at 7:24 PM.

APPROVED this the 17th day of May 2021.



Allen L. Brown, Mayor



Heather Soyars, City Clerk

Action by the board is limited to those matters properly placed on the agenda or otherwise approved by the Board for consideration at a meeting in accordance with these rules, the Code of Ordinances of the City of Texarkana, Arkansas and applicable law.

~~This is not the only opportunity to address or discuss concern with the Board of Directors.~~

In order to effectively manage meeting time and insure those wishing to speak in accordance with the rules have a reasonable opportunity to do so, debate **questions** or comments from Directors on issues raised by a member of the public during Citizen Communication Time ~~shall not~~ **may be answered or commented upon. Citizens issues or concerns that would require board action shall** not be undertaken or made unless a proper vote by the Board to add an issue to the agenda for consideration or discussion.

Notwithstanding the foregoing, the Directors may, by addressing the presiding officer or City Manager, refer an issue or concern to staff for follow-up. **Directors should provide comments, ask questions, and give answers to the Citizen so that they have a full understanding of the citizen's issue so that proper decisions can be made on future agenda items.**