



## Regular Meeting of the Board of Directors

City of Texarkana, Arkansas

216 Walnut Street

**Minutes - Monday, October 21, 2019 - 6:00 PM**

Assistant Mayor Linda Teeters called the meeting to order.

PRESENT: 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.

ABSENT: Mayor Allen Brown

[Director Odom arrived at 6:16 PM]

Invocation and Pledge of Allegiance given by Director Steven Hollibush

### PRESENTATION(S)

1. Assistant Mayor Teeters read and presented a proclamation to Lisa Crittenden of Lone Star Legal Aid for Pro Bono Week.
2. Assistant Mayor Teeters read a proclamation declaring the month of November as Business Appreciation Month. (This agenda item sponsored by Director Laney Harris)

### CONSENT

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

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

3. Approval of the minutes of the regular meeting October 7, 2019. (CCD)
4. Resolution No. 2019-40 authorizing the City Manager to purchase one (1) Combination Vac-Jet Truck through HGACBuy. (TWU)

### REGULAR

5. Ordinance No. 23-2019 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) (THIRD READING) 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)***

Director Peavy asked Public Works Director Tyler Richards if anyone had contacted him to say they were against the food trucks.

Public Works Director Tyler Richards said no.

Director Harris asked if there were any buffer zones from an existing business.

Public Works Director Tyler Richards said the food truck vendor would need to have permission to be on the property before they could set up the truck.

Director Harris asked if they could set up across the street from an existing business.

Public Works Director Tyler Richards said yes.

Director Harris said he would like to see a 200 yard buffer zone from an existing business. He said there were other cities that had the buffer zone.

[Director Odom arrived at 6:16 PM]

Director Harris asked if the food truck vendor could set up in an apartment complex.

Public Works Director Tyler Richards said an apartment complex would typically be a R-4 Medium Density Residential zone and a food truck would not be allowed.

Director Harris said he wanted this to be tabled and sent back to the Planning Commission to address these issues.

Public Works Director Tyler Richards said the Planning Commission did consider the other businesses and this was the ordinance the Planning Commission decided on.

Assistant Mayor Teeters said this happened every year at the fairgrounds and it was not an issue. She said there were permanent structures that sold food and then the City allowed other food vendors to come in and they would set up within 10 feet of each other. Assistant Mayor Teeters said it was a free market and we were adding to it by giving people more choices. She said if some preferred the brick and mortar business, they would go there but let's give people the opportunity to try the other options.

Director Hollibush said every 3<sup>rd</sup> Saturday they had the food truck festival on Front Street, and he had not heard any complaints from any brick and mortar businesses downtown.

Director Peavy asked Director Harris if he could tell the directors what other cities had a buffer zone.

Director Harris said what was the point if the Board's mind were already made up.

Director Peavy asked could a food truck set up in Zapata's parking lot.

Public Works Director Tyler Richard said it would be up to the owner of the property.

Director Miner said it was free enterprise and there was competition all up and down Highway 82.

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 Peavy.

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

The motion carried 6-0. The ordinance was read the third and final time in abbreviated form.

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

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

Voting Nay: Director Harris.

The motion carried 5-1. The Assistant Mayor declared the ordinance adopted.

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

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

Voting Nay: Director Harris

The motion carried 5-1. The Assistant Mayor declared the emergency clause adopted.

#### **CITIZEN COMMUNICATION**

Harold Irving, 615 Baltimore, said he wanted to see if the City could do anything about the trash in his neighborhood. He said he felt like it was the property owner's responsibility to clean up their trash, but they do not.

**NEXT MEETING DATE: Monday, November 4, 2019**

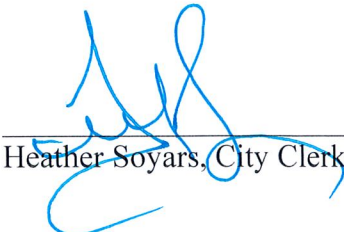
#### **ADJOURN**


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

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

The motion carried 6-0. The meeting adjourned at 6:24 PM.

**APPROVAL** of the minutes on this 4th day of November, 2019.

  
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Heather Soyars, City Clerk

  
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Linda Teeters, Assistant Mayor