



Regular Meeting of the Board of Directors

City of Texarkana, Arkansas

216 Walnut Street

Minutes - Monday, February 01, 2021 - 6:00 PM

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

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

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

Invocation was given by Reverend Terry Williams and Pledge of Allegiance was led by Director Laney Harris.

CONSENT

Director Roberts made the motion to adopt the Consent agenda, Seconded by Assistant Mayor Hollibush. The motion carried and the following item was approved:

1. Approval of the minutes of the rescheduled regular meeting January 19, 2021. (CCD)

REGULAR

2. Ordinance No. 2-2021 amended Chapter 26, Article II, Sections 26-28 and 26-29 of the *City of Texarkana, Arkansas, Code of Ordinances* to provide for revisions to water and sewer rates. (TWU)

TWU Finance Director Jim Cornelius said this ordinance would revise the water and sewer rates with an 8.5% increase, which would be an average increase of \$3.34. This rate increase would give TWU 33 days of cash reserves.

Director Hart asked if this rate increase would get TWU through the year. He also asked if Mr. Cornelius would give a mid-year budget update.

TWU Finance Director Jim Cornelius answered yes to both questions.

Director Harris said he represented the poorest people in the City and the residents in his ward still expressed their concerns that the water bill was too high.

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

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 Roberts, Seconded by Director Hart.

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 Roberts, 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, Assistant Mayor Hollibush, Director Brewer, Director Miner, and Director Hart.

Voting Nay: Director Harris.

The motion carried 6-1 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 approve the emergency clause made by Director Roberts, Seconded by Director Brewer.

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

Voting Nay: Director Harris.

The motion carried 6-1 and the Mayor declared the emergency clause approved.

3. Resolution No. 2021-8 approved the Texarkana Water Utilities (TWU) FY 2020-2021 Budget. (TWU) (TABLED – January 19, 2021)

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

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

Director Harris asked what changes were made in the budget.

TWU Finance Director Jim Cornelius said changes were made in the budget to reflect the 8.5% rate increase.

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 resolution adopted.

4. Ordinance No. 3-2021 rezoned 4050 Genoa Road from R-1 Rural residential in the R-1 Rural residential overlay zone to C-3 Open display commercial. (Jeannie Rogers) (PWD-Planning)

City Planner Mary Beck said Genoa Feed-N-Hardware located at 4045 Genoa Road requested to be rezoned from R-1 Rural residential overlay to C-3 Open display commercial to develop a commercial operation, most likely a fish drive-thru restaurant.

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

5. Ordinance No. 4-2021 rezoned 3021 Will Gear Road for a Planned Unit Development (PUD). (Wesley and Carolena Mudford) (PWD-Planning)

City Planner Mary Beck said Wesley and Carolena Mudford requested their property located at 3021 Will Gear Road be rezoned for a Planned Unit Development to open a hobby farm to grow and sell products adjacent to their home.

Motion to suspend the rules and place the ordinance on its first reading in abbreviated form made by Director Miner, 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 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 Hollibush, 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 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 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 third and final time in abbreviated form.

Motion to adopt the ordinance made by Director Roberts, 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.

6. Ordinance No. 5-2021 amended and supplemented Chapter 6, Article II of the *City of Texarkana, Arkansas, Code of Ordinances* relating to the Texarkana Airport and Airport Authority and for other purposes. (Airport)

Texarkana Regional Airport Director Paul Mehrlich said this ordinance was jointly written by both cities with input from Airport Staff and Airport Authority.

Director Harris said the ordinance stated if there were an administrative issue, it would be brought to the two City Managers. He said there should be 3 people making the decision in case the two City Managers disagreed. He also suggested each City take turns appointing the At-Large member of the Airport Authority. Director Harris also stated his concerns about having the ordinance read 3 times tonight. He said he would like to give citizens more time for their input.

Mayor Brown said he had a lot to do with this ordinance and saw the importance of having the ordinance enacted tonight. He said the Airport had been in financial distress with no oversight on its budget or finances. He said it was the Board's responsibility to make the appointment for economic development.

Director Brewer asked if there would be any more amendments to this ordinance.

Texarkana Regional Airport Director Paul Mehrlich said the rules and ordinances needed to be updated.

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

Director Harris asked the City Attorney if the Airport were in Arkansas how did Texas law apply?

City Attorney George Matteson said because the Airport was in Arkansas, Arkansas law applied, but Texas input was needed because both Arkansas and Texas had financial interest in the Airport.

Mayor Brown said the appointment process was different in Texas.

Director Harris objected to the ordinance being read in abbreviated form.

The City Attorney began reading the ordinance in its entirety and was halfway through when Director Harris rescinded his objection.

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

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 Assistant Mayor Hollibush, Seconded by Director Hart.

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.

7. TABLED - Ordinance amending and restating Sec. 9.7 of the *City of Texarkana, Arkansas Code of Ordinances* concerning the sale and discharge of fireworks and for other purposes. (BOD) (This item was added to the agenda at the request of Director Terry Roberts)

Director Roberts said recently there was a firework show for a wedding at the country club. He said 911 received numerous calls and he had at least 36 calls from citizens. He said pets went missing and citizens with PTSD were terrified. He said this ordinance required written permission from the landowner and a public notice in the newspaper 2 weeks prior of the firework display.

Mayor Brown said this ordinance would create additional issues the City would have to deal with, such as opposition to the fireworks.

Director Roberts said the same thing happened last year and you were not going to please everyone.

Mayor Brown asked what was the plan for the future?

Assistant Mayor Hollibush said this was not restricting the fireworks, just providing notice.

Director Hart said the City was doing this now without notice.

Fire Chief David Fletcher said this ordinance did not add or take away responsibilities. He did agree with Mayor Brown's aspect of opposition.

Mayor Brown said forcing publication would give opportunity for opposition.

Fire Chief David Fletcher said a protocol could be developed and notification was a great idea.

Director Roberts said he did not see how publishing notification was a problem and anything was subject to opposition.

Director Harris said there was nothing wrong with the ordinance per se, but he wanted to wait until the next Board meeting to pass the ordinance.

Assistant Mayor Hollibush made a motion amending the ordinance to allow fireworks all days of the week, if notice were given, Seconded by Director Roberts.

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

Voting Nay: Director Miner.

The motion carried 6-1 and Mayor declared the amendment to the ordinance approved.

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

Director Harris objected and the City Attorney began reading the ordinance in its entirety.

Director Harris rescinded his objection to place the ordinance on its first reading in abbreviated form.

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 Hart, Seconded by Director Brewer.

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

Voting Nay: Mayor Brown and Director Harris.

The motion carried 5-2 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: Director Roberts, Assistant Mayor Hollibush, Director Brewer, Director Miner, and Director Hart.

Voting Nay: Mayor Brown and Director Harris.

The motion carried 5-2 and the ordinance was read the second 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.

Prissy Hickerson, 2805 Forest, said she was in favor of this amended ordinance. She said even though the proper permits were in place, the fireworks were so loud her house shook and it was terrifying.

Dennis Young, 3503 Tiffany, said he was not for or against this ordinance but wanted to point out a serious flaw. The ordinance did not make exceptions for a rainout.

Mayor Brown said he had issues with the liability and rainouts. He said there needed to be checks and balances.

Assistant Mayor Hollibush asked what the liability would be if the section about a rainout were removed from the ordinance.

Director Hart said he felt if the rainout section were removed, the burden of what was and was not a rainout would fall on the City Manager.

Assistant Mayor Hollibush asked if the Board needed to have the language for the amendment in order to make the motion to adopt.

City Attorney George Matteson said he would suggest the amendment be established.

Director Miner made the motion to table the ordinance, Seconded by Director Hart.

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 tabled.

CITIZEN COMMUNICATION

Director Harris said February was Black History month. He also said he had requested a sidewalk from Grove Street to Dudley Street. He then read a press release regarding his appointment to serve on the National League of Cities' Human Development Committee, (attached).

Director Brewer said he would like the Board to revisit virtual meetings. He said the threat assessment of COVID-19 was still high for the Board to continue to meet in-person.

EXECUTIVE SESSION

The Board entered Executive Session at 7:45 PM.

The Board reconvened at 8:15 PM.

8. Resolution No. 2021-9 approved appointments to the Airport Authority. [Robin Hickerson for the term May 14, 2019----2022, and Joe Denman and Clayton Roberts for the term of May 14, 2020----2023] (CCD)

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

Mayor Brown asked if anyone wanted to speak for or against the resolution.

No one came forward.

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

Director Hart made the motion to appoint Rob Sitterley with REDI to the At-large position on the Airport Authority, Seconded by Director Brewer.

Mayor Brown asked if anyone wanted to speak for or against the motion.

No one came forward.

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

NEXT MEETING DATE: Tuesday, February 16, 2021

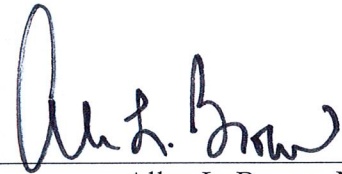
ADJOURN

Motion to adjourn made by Director Hart, Seconded by Assistant Mayor Hollibush.

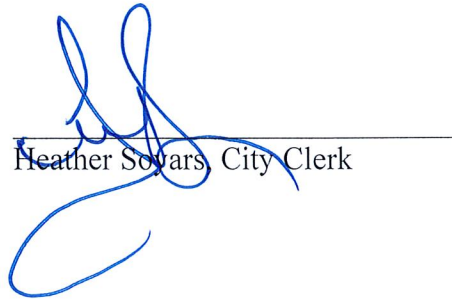
Voting Yea: Mayor Brown, Director Roberts, Director Harris, Assistant Mayor Hollibush, Director Brewer, Director Miner, and Director Hart.

The meeting adjourned at 8:25 PM.

APPROVED this the 16th day of February 2021.



Allen L. Brown, Mayor



Heather Soyars, City Clerk



FOR IMMEDIATE RELEASE

January 29, 2021

Press Contact:

Laney Harris
Texarkana, Ark.
(903) 244-2298
laneyharris.ward2@yahoo.com

**Laney Harris Appointed to Serve on National League of Cities'
Human Development(HD) Committee**

Washington D.C — January 29, 2021 — Laney Harris, City Director, Texarkana, Arkansas, has been appointed to the National League of Cities (NLC) 2021 (HD) Federal Advocacy Committee. **City Director, Harris** was elected to a one-year term and will provide strategic direction and guidance for NLC's federal advocacy agenda and policy priorities. The appointment was announced by NLC President Kathy Maness, councilmember, Lexington, South Carolina.

“By serving on this NLC's federal advocacy committees ensure policymakers in Washington will get a first hand understand of the most pressing issues facing my community,” said Harris.

As a committee member, Harris will play a key role among a diverse group of local leaders in shaping NLC's policy positions and advocating on behalf of America's cities and towns before Congress, with the new administration and at home.

“Our federal advocacy committees are the voices of what's happening on the ground in our communities,” said **Kathy Maness, councilmember of Lexington, South Carolina, and President of the National League of Cities (NLC)**. “I am proud to have Laney Harris join NLC's HD committee on behalf of his residents. Together with a team of local leaders from around the country, we will work to solve the most pressing challenges facing our communities.”

Also Harris is jointed by his colleague Lioneld Jordan, Mayor, City of Fayetteville, AR.

For more information on NLC's federal advocacy committees, visit:
www.nlc.org/advocacy/committees.

The National League of Cities (NLC) is dedicated to helping city leaders build better communities. NLC is a resource and advocate for 19,000 cities, towns and villages, representing more than 218 million Americans. www.nlc.org