



## Regular Meeting of the Board of Directors

City of Texarkana, Arkansas

216 Walnut Street

**Agenda - Monday, April 04, 2022 - 6:00 PM**

Call to Order

Roll Call

Invocation given by Assistant Mayor Steven Hollibush.

Pledge of Allegiance led by Fire Chief David Fletcher.

### **CITIZEN COMMUNICATION**

*A limit of five (5) minutes per person is allotted for citizens to express their concerns to the Board of Directors, with a maximum of fifty (50) minutes reserved for Citizens Communication. The Board of Directors cannot respond to citizens' concerns during this time.*

*Be respectful of the Board of Directors, city staff, and the public by refraining from abusive conduct, personal charges, or verbal attacks.*

### **PRESENTATION(S)**

1. Texarkana Public Library Presentation. (ADMIN) Library Director Jennifer Strayhorn
2. Presentation of the City of Texarkana, Arkansas Employee Service Awards. (CCD) Heather Soyars

### **CONSENT**

3. Approval of the minutes of the regular meeting March 21, 2022. (CCD) City Clerk Heather Soyars
4. Adopt a Resolution authorizing the City Manager to enter into a contract with A.L. Franks Engineering for the design of Tennessee Road, Meadows Road, and Union Road Improvements. (PWD) Public Works Director Tyler Richards
5. Adopt a Resolution authorizing the City Manager to purchase a TIGER Boom Rotary Mower for the Public Works Department Streets Division. (PWD) Public Works Director Tyler Richards
6. Adopt a Resolution authorizing the City Manager to purchase Nutanix Hyper-Converged Infrastructure Solution to be utilized as server hosting by the Texarkana Water Utilities

(TWU) for both cities of Texarkana, Arkansas, and Texarkana, Texas. (TWU-IT) IT Manager  
Brandon Uselton

## **REGULAR**

7. Adopt a Resolution to amend the 2022 American Rescue Plan Act (ARPA) Budget for inclusion of specific street projects. (FIN) Finance Director TyRhonda Henderson
8. Adopt an Ordinance to rezone a tract of land located in the 600 block of Meadows Road from R-2 Single-family residential to A-1 Mixed use rural zoning, in order to build a shop before building the house. (Barr) (Ward 3) (PWD-Planning) City Planner Mary Beck
9. Adopt an Ordinance to rezone a tract of land located at 91 S. Valley Drive from R-1 Rural residential to A-1 Mixed use rural zoning, in order to build a shop before building the house. (Kegley) (Ward 1) (PWD-Planning) City Planner Mary Beck
10. Adopt an Ordinance to rezone a tract of land located at 5706 Four States Parkway from R-1 Rural residential to O-1 Office quiet commercial. (Asbille) (Ward 6) (PWD-Planning) City Planner Mary Beck

*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.*

11. Adopt an Ordinance granting the request for prerequisite municipal approval of a private club application on behalf of Hector Leal for the Cattlemen's Club, Inc., at 4018 N. Stateline Avenue. (CCD)

*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)*

## **BOARD OF DIRECTORS' COMMENTARY**

## **CITY MANAGER REPORT**

**NEXT MEETING DATE: Monday, April 18, 2022**

## **ADJOURN**

### **2022 City Calendar**

**Dance Fitness - Texarkana Rec Center - Tuesdays - 6-8PM**

**Life Skills & Risk Avoidance Classes - 6th, 7th, & 8th Graders - Texarkana Rec Center -  
Monday, April 4th - Girls 5-6PM - Boys 6-7PM**

**2022 College Fair - Texarkana Rec Center - Tuesday, April 5th - 5-8PM**

**Breakfast with the Easter Bunny - Texarkana Rec Center - Saturday, April 9th - 9-11AM**

**Twin City Meat Up & 5K - Friday & Saturday, April 22nd - 23rd**

**Food Truck Festival - Bobby Ferguson Park - Saturday, April 30th - 10AM - 8PM**

**Twin City Black History Association Parade - Saturday, April 30th - 10AM - noon**

**Gateway Farmer's Market – Opening Saturday, May 7th - 7AM till noon**

**The Greater Texarkana Autism Awareness Fundraiser - Saturday, May 21st - 7AM - 5PM**

**Texarkana Down Syndrome Society Awareness Walk & Fun Day - Saturday, October 8th -  
Front Street - 8AM - 4PM**

**Universal Vibes - Crossties & Front Street - Saturday, October 22nd - 10AM - 11PM**



# CITY OF TEXARKANA, AR

## BOARD OF DIRECTORS

---

**AGENDA TITLE:** Texarkana Public Library Presentation. (ADMIN) Library Director Jennifer Strayhorn

**AGENDA DATE:** April 4, 2022

**ITEM TYPE:** Ordinance  Resolution  Other : Presentation

**DEPARTMENT:** Texarkana Library

**PREPARED BY:** Heather Soyars

---

**REQUEST:** Library Presentation

**EMERGENCY CLAUSE:** N/A

---

**SUMMARY:**

---

**EXPENSE REQUIRED:**

---

**AMOUNT BUDGETED:**

---

**APPROPRIATION  
REQUIRED:**

---

**RECOMMENDED  
ACTION:**

---

**EXHIBITS:**



# CITY OF TEXARKANA, AR

## BOARD OF DIRECTORS

---

**AGENDA TITLE:** Presentation of the City of Texarkana, Arkansas Employee Service Awards. (CCD) Heather Soyars

**AGENDA DATE:** April 4, 2022

**ITEM TYPE:** Ordinance  Resolution  Other : Presentation

**DEPARTMENT:** City Clerk Department

**PREPARED BY:** Heather Soyars, City Clerk

---

**REQUEST:** Presentation of employee service awards.

**EMERGENCY CLAUSE:** N/A

---

**SUMMARY:** Employee Service Awards:

The Arkansas Municipal League awarded Rachel Hopkins a certificate for completing Basic Grant Writing and Management Training.

James Megason	TAPD	30 Years
Dara Cornett	TAPD	20 Years
Mary Beck	City Planner	15 Years
Adam Benton, Jr.	TWU	15 Years
Larry Bradshaw	TWU	15 Years
Quincy Hubbard	TWU	10 Years
Stanley Kowzic	TWU	15 Years
Mundang Johnson	TWU	10 Years
Billy Thomas	TWU	5 Years

---

**EXPENSE REQUIRED:** N/A

---

**AMOUNT BUDGETED:** N/A

---

**APPROPRIATION  
REQUIRED:** N/A

---

**RECOMMENDED  
ACTION:** N/A

---

**EXHIBITS:** None



## CITY OF TEXARKANA, AR BOARD OF DIRECTORS

---

<b>AGENDA TITLE:</b>	Approval of the minutes of the regular meeting March 21, 2022. (CCD) City Clerk Heather Soyars
<b>AGENDA DATE:</b>	April 4, 2022
<b>ITEM TYPE:</b>	Ordinance <input type="checkbox"/> Resolution <input type="checkbox"/> Other <input checked="" type="checkbox"/> : Minutes
<b>DEPARTMENT:</b>	City Clerk Department
<b>PREPARED BY:</b>	Heather Soyars, City Clerk
<b>REQUEST:</b>	Approval of meeting minutes.
<b>EMERGENCY CLAUSE:</b>	N/A
<b>SUMMARY:</b>	Approval of meeting minutes
<b>EXPENSE REQUIRED:</b>	N/A
<b>AMOUNT BUDGETED:</b>	N/A
<b>APPROPRIATION REQUIRED:</b>	N/A
<b>RECOMMENDED ACTION:</b>	The City Clerk recommends Board approval.
<b>EXHIBITS:</b>	Meeting minutes.



## **Regular Meeting of the Board of Directors**

City of Texarkana, Arkansas

216 Walnut Street

**Minutes - Monday, March 21, 2022 - 6:00 PM**

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

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

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

Invocation given by Reverend Warren Smith Jr. of Mt Zion Missionary Baptist Church, guest of Director Laney Harris.

Pledge of Allegiance led by Finance Controller Shena Washington.

### **CITIZEN COMMUNICATION**

David Ford said he was concerned about the lack of animal control in the City. He said according to City Code the Police Department was responsible for animal control calls after regular business hours. He also said the Code stated all pets within the City limits must be licensed and wear a City tag.

### **PRESENTATION(S)**

1. Presentation of the City's Comprehensive Plan given by City Manager E. Jay Ellington. (Admin) (Memo attached.)
2. Animal Care and Adoption Center update. (ACAC) Director Lenor Teague.

ACAC Director Lenor Teague gave a PowerPoint presentation about the progress of the new facility.

### **CONSENT**

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

3. Approval of the minutes of the regular meeting March 7, 2022. (CCD) City Clerk Heather Soyars
4. Resolution No. 2022-21 authorized the purchase of 54 sets (coats and pants) of structural firefighting gear for the Texarkana, Arkansas Fire Department. (TAFD) Fire Chief David Fletcher

## **REGULAR**

5. Consider the following action concerning substandard structures:

Conduct a Public Hearing regarding the condemnation of 13 substandard structures.

Mayor Brown opened the Public Hearing.

Building Official Shawn Maxey gave a PowerPoint presentation of the substandard structures to be condemned.

Director Harris asked what funds would be used for demolition.

Building Official Shawn Maxey said Community Development Block Grant (CDBG) funds would be used.

Director Harris said the City needed more housing programs.

Mayor Brown said the City had increased the demolition budget. He asked if anyone would like to speak for or against this item.

No one came forward.

Mayor Brown closed the Public Hearing

Resolution No. 2022-22 condemned 13 substandard structures. (PWD) Building Official Shawn Maxey

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

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

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 resolution adopted.

6. Resolution No. 2022-23 adopted a Joint Resolution of the Board of Directors of the City of Texarkana, Arkansas, and the City Council of the City of Texarkana, Texas, reaffirming the express approval of the Board of Directors under the 1985 Millwood Contract for cities and customers served by Texarkana, Texas, to also receive treated water from Millwood Reservoir; reaffirming that title to all supplied water purchased by Texarkana, Texas, from Texarkana, Arkansas, under the 1985 Millwood Contract, passed to Texarkana, Texas, at the point of delivery; resolving all matters under the

1985 Millwood Contract ordered to arbitration; and establishing an effective date.  
(ADMIN) City Manager E. Jay Ellington

After a brief discussion, motion to adopt the resolution made by Assistant Mayor Hollibush, Seconded by Director Brewer.

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

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 resolution adopted.

7. Ordinance No. 8-2022 amended and updated Sec. 2-133 of the *City of Texarkana, Arkansas Code of Ordinances* as related to the Public Facilities Board. (Admin) City Manager E. Jay Ellington

After a brief discussion the motion to suspend the rules and place the ordinance on its first 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 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 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 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 time in abbreviated form.

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

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.

8. Ordinance No. 9-2022 authorized the City Manager to purchase a three-year Microsoft Enterprise License Agreement for licenses used by all departments of Texarkana Water Utilities. (TWU) IT Manager Brandon Uselton

After a brief discussion the motion to suspend the rules and place the ordinance on its first reading in abbreviated for 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 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 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 third 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.

*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 enact the emergency clause made by Director Roberts, Seconded by Director Harris.

Mayor Brown asked if anyone would like to speak for or against the emergency clause.

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 emergency clause enacted.

9. Ordinance No. 10-2022 amended the Personnel Policy. (FIN) Finance Controller Shena Washington

Director Harris asked why the Police Department's specialized positions would receive additional pay.

Finance Controller Shena Washington said the specialized positions required additional training.

Director Roberts said he would like for City employees to have their birthday off and asked the best way to do it. He presented the following: "Each employee would be granted 8 hours of leave for their birthday to be taken during the month of their birthday. Prior approval of the department head/supervisor was required. Any hours not taken during the month would be lost and cannot be accrued or carried over."

Mayor Brown said he would not be comfortable approving an amended ordinance to include birthdays tonight. He said this would affect the budget and he would like more information before making a decision.

City Attorney George Matteson said to make the process cleaner, it would be best to adopt the ordinance as presented and bring forth a new ordinance to include employee birthdays at a future meeting.

Director Roberts asked the City Manager if an ordinance to grant 8 hours birthday leave for City employees could be on the next agenda.

City Manager E. Jay Ellington said yes.

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

Mayor Brown asked if anyone would like to speak for or against the emergency clause.

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 emergency clause enacted.

Mayor Brown said he would like to have the Board of Directors' Commentary and the City Manager Report before clearing the Boardroom for the Executive Session.

## **BOARD OF DIRECTORS' COMMENTARY**

Director Harris said he received noise complaints about Tri State Metal working up to 11:00 PM. He also asked how the City would be able to identify houses with lead pipes.

Texarkana Water Utilities Interim Executive Director Gary Smith said TWU was working on identifying all the lead pipes in the City. The deadline had been extended but it would be an extensive and expensive process.

## **CITY MANAGER REPORT**

City Manager E. Jay Ellington gave the following report:

- The Solid Waste Committee would meet March 24, 2022 at 4:00PM at City Hall.
- The Animal Care and Adoption Center would host a public forum on March 31, 2022.
- Waiting for an update concerning redistricting.
- The Comprehensive Plan Visual Meeting would be at the Rec Center on April 28, 2022.
- The draft for the Juvenile Detention Center Interlocal Agreement was sent to Miller County Judge Harrison.

- He would be attending the Arkansas Municipal League Conference in Little Rock, Arkansas, this weekend.
- Leadership Texarkana's What's to Love featured the Rec Center.
- He would follow-up with Tri-State Metal about the noise complaint.

## **EXECUTIVE SESSION**

The Board of Directors entered Executive Session at 7:13 PM.

The Mayor reconvened the meeting at 7:28 PM and the following action was taken:

10. Resolution No. 2022-24 appointed James Mike Jones to the Planning Commission.  
(CCD) City Clerk Heather Soyars

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.

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 resolution adopted.

**NEXT MEETING DATE: Monday, April 4, 2022**

## **ADJOURN**

Motion to adjourn 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 meeting adjourned at 7:29 PM.

**APPROVED** this the 4<sup>th</sup> day of April 2022.

---

Allen L. Brown, Mayor

---

Heather Soyars, City Clerk



# CITY OF TEXARKANA, AR

## BOARD OF DIRECTORS

---

**AGENDA TITLE:** Adopt a Resolution authorizing the City Manager to enter into a contract with A.L. Franks Engineering for the design of Tennessee Road, Meadows Road, and Union Road Improvements. (PWD) Public Works Director Tyler Richards

**AGENDA DATE:** 02/16/2021

**ITEM TYPE:** Ordinance  Resolution  Other : \_\_\_\_\_

**DEPARTMENT:** Public Works

**PREPARED BY:** Tracie Lee, Assistant Public Works Director

---

**REQUEST:** To Award an Engineering Contract to A.L. Franks Engineering for the design of Tennessee Road, Meadows Road and Union Road Improvements.

**EMERGENCY CLAUSE:** N/A

---

**SUMMARY:** The City allocated funding in the 2022 budget for improvements to Tennessee Road, Meadows Road and Union Road. In order to put the project out to bid a design and bid book is needed.

The City submitted a RFQ in January 2022 for engineers, architects and surveyors. A.L. Franks was selected as a qualified engineer for City projects based on their qualifications and extensive work history with the City.

A.L. Franks Engineering submitted their design fee proposal for these projects in the amount of \$116,250.00.

---

**EXPENSE REQUIRED:** \$116,250.00

---

**AMOUNT BUDGETED:** \$1,550,000.00

---

**APPROPRIATION  
REQUIRED:** \$0.00

---

**RECOMMENDED  
ACTION:** City Manager and staff recommend approval of the engineering contract to A.L. Franks Engineering.

---

**EXHIBITS:** Resolution and Engineering Contract

# RESOLUTION NO. \_\_\_\_\_

**WHEREAS**, following a request for qualifications for design services in connection with Tennessee Road, Meadows Road, and Union Road improvements, A. L. Franks Engineering, was selected as the best suited candidate to provide such services; and

**WHEREAS**, the cost for such services is \$116,250.00; and

**WHEREAS**, funds are budgeted and available;

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Directors of the City of Texarkana, Arkansas, that Public Works is hereby authorized to enter into a contract with A. L. Franks Engineering for the work and in the amount described above.

**PASSED AND APPROVED** this 4<sup>th</sup> day of April, 2022.

---

Allen L. Brown, Mayor

**ATTEST:**

---

Heather Soyars, City Clerk

**APPROVED:**

---

George Matteson, City Attorney

# **WORK ORDER FOR PROFESSIONAL SERVICES**

## **CITY OF TEXARKANA, ARKANSAS**

### **W. O. TXK-01-22**

This will constitute authorization by City of Texarkana, Arkansas (Owner) for A.L. Franks Engineering, Inc. (Engineer) to proceed with the following described "Project":

Provide Engineering Services for the scope of work described as follows:

Street pavement rehabilitation to include stabilization, asphalt paving, miscellaneous drainage improvements, and other various items.

A preliminary construction budget itemized per the street schedule is as follows:

- A) Tennessee Road (continuation of 2021 project eastward) - \$325,000
- B) Meadows Road (Highway 82 southward to Tennessee Rd) - \$550,000
- C) Union Rd (Line Ferry Rd east to Hwy 71) - \$675,000

Total Construction Budget including Engineering: \$1,550,000

Engineering services shall include the following scope of work:

1. Prepare Plans and Specifications for Improvements and obtain necessary approval by the City.
2. Design shall include review of existing street conditions, pavement failures, drainage problems and shall include detailed recommendations for repair.
3. Coordination with Testing laboratory for analysis of existing subgrade, and pavement structure.
4. Topographic surveying to include field mapping of street, drainage structures, visible utilities, driveways, fences, etc. Boundary monuments will be included where visible.

5. The Plans and Specifications will be provided for bidding purposes to include typical contract documents, bonding requirements, and all material and work specifications in accordance with city standards.

The above described services are to be performed in accordance with the basic Agreement covering such engineering services by and between City of Texarkana,

Arkansas (Owner) and A.L. Franks Engineering, Inc. (Engineer) dated September 6, 2016.

For performing the services described, the Engineer is to be paid based on percent complete with a maximum not to exceed amount of \$116,250.00 as indicated as follows:

Preparation of Plans and Specifications	\$111,750.00
Bid Phase Engineering & Contract Completion	\$4,500.00
Geotechnical Testing (Third Party)	By Others

Partial payment for services shall be made monthly, as evidenced by monthly statements submitted by the Engineer and approved by the Owner.

Items not included in the scope of work include easement acquisition, boundary surveys, environmental investigation, and floodplain permitting.

Construction management and inspection services are not included but can be added if desired. The period of time estimated for completing the above described services through Bid Phase Engineering shall be NINETY (90) calendar days.

APPROVED:

CITY OF TEXARKANA, ARKANSAS

By: \_\_\_\_\_  
E. Jay Ellington  
City Manager

ACCEPTED:

A.L FRANKS ENGINEERING, INC.

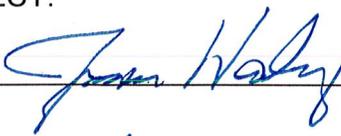
By:  \_\_\_\_\_  
Anthony L. (Andy) Franks, P.E.  
President

ATTEST:

\_\_\_\_\_

DATE: \_\_\_\_\_

ATTEST:

 \_\_\_\_\_

DATE: March 22, 2022

**Texarkana, Arkansas**  
**2022 Street Rehabilitation**  
**Union Road, Meadows Rd, Tennessee Rd**

**Engineer's Estimate**

ITEM	DESCRIPTION	QUANTITY	UNIT	ESTIMATED COST	
				UNIT PRICE	PRICE
<b>A</b>	<b>Union Rd (Line Ferry East toward Hwy 71)(7,500 LF Total)</b>				
1	ROW Preparation / Tree Removal	1	LS	\$ 25,000.00	\$ 25,000.00
2	Cement Stabilization of existing road base (8" depth at 40 lb/sy)	16700	SY	\$ 18.00	\$ 300,600.00
3	ACHM 2" Surface & Prime Coat	15000	SY	\$ 21.00	\$ 315,000.00
4	Ditch cleaning & grading	3000	LF	\$ 8.00	\$ 24,000.00
5	Subgrade Replacement (24" Depth with Select Fill)	200	SY	\$ 30.00	\$ 6,000.00
6	Testing allowance	1	LS	\$ 4,500.00	\$ 4,500.00
				<b>SubTotal</b>	<b>\$ 650,100.00</b>
<b>B</b>	<b>Meadows Rd (Hwy 82 south to TN Rd) (5,160 LF)</b>				
7	ROW Preparation / Tree Removal	1	LS	\$ 15,000.00	\$ 15,000.00
8	Cement Stabilization of existing road base (8" depth at 40 lb/sy)	11470	SY	\$ 18.00	\$ 206,460.00
9	ACHM 2" Surface & Prime Coat	10320	SY	\$ 21.00	\$ 216,720.00
10	Ditch cleaning & grading	2000	LF	\$ 8.00	\$ 16,000.00
11	Subgrade Replacement (24" Depth with Select Fill)	300	SY	\$ 30.00	\$ 9,000.00
12	Testing allowance	1	LS	\$ 2,500.00	\$ 2,500.00
				<b>SubTotal</b>	<b>\$ 450,680.00</b>
<b>C</b>	<b>Tennessee Road (3,000 LF)</b>				
13	Cement Stabilization of existing road base (8" Depth at 40 lb/sy)	7350	SY	\$ 18.00	\$ 132,300.00
14	ACHM 2" Surface & Prime Coat	6670	SY	\$ 21.00	\$ 140,070.00
15	ROW Preparation / Tree Removal	1	LS	\$ 15,000.00	\$ 15,000.00
16	Subgrade Replacement (24" Depth with Select Fill)	500	SY	\$ 30.00	\$ 15,000.00
17	Testing allowance	1	LS	\$ 2,500.00	\$ 2,500.00
				<b>SubTotal</b>	<b>\$ 304,870.00</b>
	<b>PRELIMINARY CONSTRUCTION BUDGET TOTAL</b>				<b>\$ 1,405,650.00</b>



# CITY OF TEXARKANA, AR

## BOARD OF DIRECTORS

---

**AGENDA TITLE:** Adopt a Resolution authorizing the City Manager to purchase a TIGER Boom Rotary Mower for the Public Works Department Streets Division. (PWD) Public Works Director Tyler Richards

**AGENDA DATE:** 04/04/2022

**ITEM TYPE:** Ordinance  Resolution  Other : \_\_\_\_\_

**DEPARTMENT:** Public Works Department

**PREPARED BY:** Tracie Lee, Assistant Public Works Director

---

**REQUEST:** Purchase a TIGER Boom Rotary Mower for the Public Works Department Streets Division.

**EMERGENCY CLAUSE:** N/A

---

**SUMMARY:** The Public Works Department would like to purchase a TIGER Boom Rotary Mower for the Public Works Department Streets Division in the amount of \$58,322.25 from Little Rock Equipment Sales, Inc. through the Buy Board.

Purchase from this source will meet all bidding requirements. Funds were budgeted in General Fund and are available for the purchase of this equipment.

---

**EXPENSE REQUIRED:** \$58,322.25 (General Fund)

---

**AMOUNT BUDGETED:** \$250,000.00

---

**APPROPRIATION REQUIRED:** \$0.00

---

**RECOMMENDED ACTION:** City Manager and staff recommend board approval.

---

**EXHIBITS:** Resolution and Buy Board Quotes

# RESOLUTION NO. \_\_\_\_\_

**WHEREAS**, request is made to purchase a TIGER Boom Rotary Mower in the amount of \$58,322.25, from Little Rock Equipment Sales, Inc. through the Buy-Board; and

**WHEREAS**, the funds are budgeted and available; and

**WHEREAS**, the City Manager and staff recommend approval;

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Directors of the City of Texarkana, Arkansas, that the City Manager is authorized to purchase a TIGER Boom Rotary Mower on the terms set forth above.

**PASSED AND APPROVED** this 4<sup>th</sup> day of April, 2022.

\_\_\_\_\_  
Allen L. Brown, Mayor

**ATTEST:**

\_\_\_\_\_  
Heather Soyars, City Clerk

**APPROVED:**

\_\_\_\_\_  
George Matteson, City Attorney



# LITTLE ROCK EQUIPMENT SALES, INC.

13001 Interstate 30 • Little Rock, AR 72209 • (501) 455-5700 • 1-800-455-1388

February 14, 2022

Attn: Clay Hicks  
CITY OF TEXARKANA  
Texarkana, AR

Dear Clay:

As per your request, we are pleased to quote you on our  
TIGER Boom Rotary Mower as follows:

One (1) new TIGER TRB-50C-30S Boom Mower  
complete with 50" rotary cutterhead, 5-spool valve,  
brake valve, cable controls: mounted on your FNH  
TS6.110 Tractor, FOB Little Rock ..... \$52,900.00

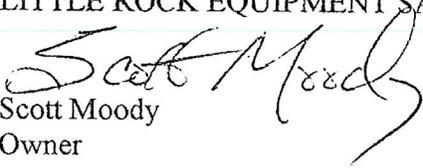
Arkansas sales tax is to be added to the above price.  
Once you deliver your tractor to us, we will do all  
the mounting in our shop in Little Rock. When we  
are finished with the mounting, you will need to come  
and pick up the completed unit.

*tax 5,422.25*  

---

*Total. 58,322.25*

Sincerely yours,  
LITTLE ROCK EQUIPMENT SALES

  
Scott Moody  
Owner







## CITY OF TEXARKANA, AR BOARD OF DIRECTORS

---

**AGENDA TITLE:** Adopt a Resolution authorizing the City Manager to purchase Nutanix Hyper-Converged Infrastructure Solution to be utilized as server hosting by the Texarkana Water Utilities (TWU) for both cities of Texarkana, Arkansas, and Texarkana, Texas. (TWU-IT) IT Manager Brandon Uselton

**AGENDA DATE:** April 4, 2022

**ITEM TYPE:** Ordinance  Resolution  Other : \_\_\_\_\_

**DEPARTMENT:** TWU-IT Department

**PREPARED BY:** Brandon Uselton

---

**REQUEST:** The City Manager to purchase Nutanix Hyper-Converged Infrastructure Solution to be utilized as server hosting by the Texarkana Water Utilities (TWU) for both cities of Texarkana, Arkansas, and Texarkana, Texas.

**EMERGENCY CLAUSE:** N/A

---

**SUMMARY:** The Texarkana Water Utilities (TWU) Information Technology (IT) Division is requesting the Nutanix Hyper-Converged Infrastructure Solution presented by Choice Solutions of Overland Park, Kansas, be accepted, authorizing the City Manager to purchase off the State of Texas DIR Contract (DIR-CPO-4444). The total cost for the purchase of the hardware, one year of licensure and support, and professional services shall not exceed one hundred fifty-four thousand nine hundred eighty-seven 37/100 dollars (\$154,987.37) with the Arkansas portion being sixty thousand eleven 11/100 dollars (\$60,011.11).

The Texarkana Water Utilities IT Department is requesting this solution to be purchased to replace an existing Nutanix Hyper-Converged Infrastructure Solution purchased in 2016 that has reached its hardware end-of-life. The Nutanix Hyper-Converged Infrastructure Solution is used to host the virtual server infrastructure used by the Texarkana Water Utilities, the City of Texarkana Arkansas, and the City of Texarkana Texas, and is considered critical infrastructure essential for the operations of the City.

The funds for the purchase of the solution and its first year of licensure and support have been appropriated in the Texarkana Water Utilities Technology Fund, and funds for the future years of support and license are anticipated to be appropriated in the same fund. Utility staff recommends approval.

---

---

The total purchase cost is \$154,987.37, with the Arkansas portion being \$60,011.11.

---

**EXPENSE REQUIRED:** \$154,987.37

---

**AMOUNT BUDGETED:** \$191,250

---

**APPROPRIATION  
REQUIRED:** None

---

**RECOMMENDED  
ACTION:** Utility Staff Recommends Approval

---

**EXHIBITS:** Resolution, Exhibit "A" Choice Solutions Quote 022743, and Exhibit "B" HCI Presentation from Nutanix

# RESOLUTION NO. \_\_\_\_\_

**WHEREAS**, the Nutanix Hyper-Converged Infrastructure Solution purchased in 2016, and a component of critical infrastructure Information Technology functions of the City has reached its end of life; and

**WHEREAS**, the Information Technology Division of Texarkana Water Utilities suggest purchase of a new and current Nutanix Hyper-Converged Infrastructure Solution for such purpose; and

**WHEREAS**, such purchase is through the Texas Department of Information Resources (DIR) being the manner in which such goods and services are procured by Texas municipalities; and

**WHEREAS**, the total cost of the purchase is \$154,987.37, with the Arkansas portion of which being \$60,011.11; and

**WHEREAS**, funds are budgeted and available; and

**WHEREAS**, the City Manager and Utility staff recommend approval;

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Directors of the City of Texarkana, Arkansas, that the purchase of the Nutanix Hyper-Converged Infrastructure Solution on the terms set forth above through Texas DIR is approved.

**PASSED AND APPROVED** this 4<sup>th</sup> day of April, 2022.

\_\_\_\_\_  
Allen L. Brown, Mayor

**ATTEST:**

\_\_\_\_\_  
Heather Soyars, City Clerk

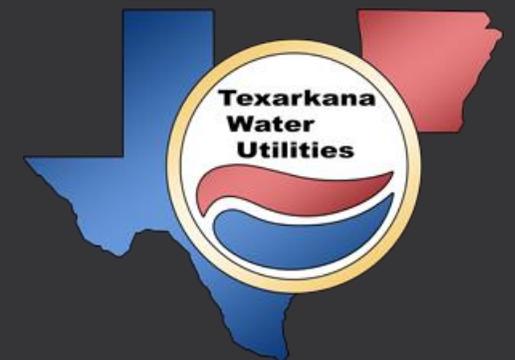
**APPROVED:**

\_\_\_\_\_  
George Matteson, City Attorney



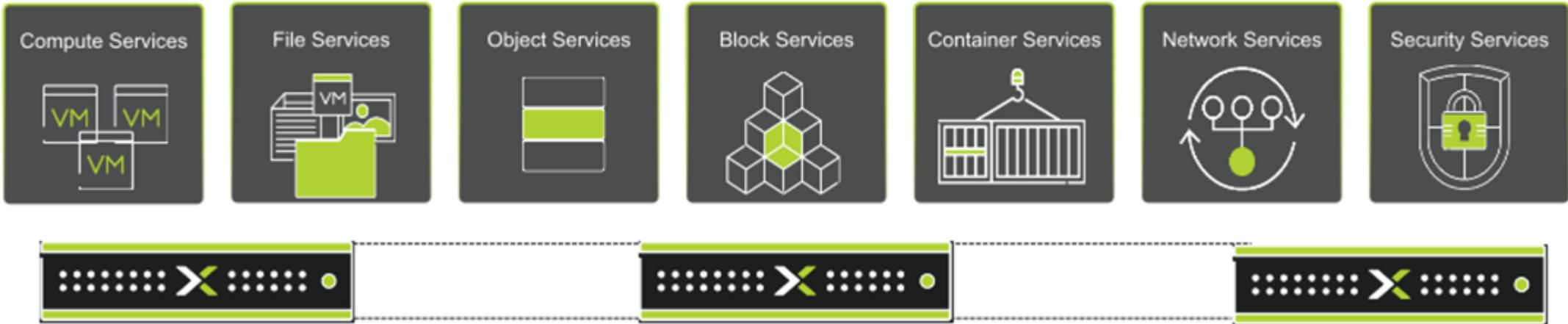
# Nutanix Hyper-Converged Infrastructure

Refresh of Existing Infrastructure



# Native Cloud Services, Anywhere

Capabilities should be natively available and managed through a single, simple interface – either in the Data Center or out at the Edge



# Solution Summary

## Node Detail: NX-8235-G8

(2 nodes in a 2U rackmount block)

<b>CPU</b>	2 x Intel Xeon Silver 4314 16 cores per socket, 2.4 GHz, 135W
<b>Memory</b>	384 GB 12 x 32 GB DIMM
<b>Storage</b>	2 x 3.84 TB SSD, 4 x 18 TB SATA
<b>Network</b>	Dual Port SFP+ 10GbE Adapter (LOM)

### Single Summary

Compare with 1 node failure



### Single Summary (Assuming 1 node fails)



## Cluster Capacity

<b>Total Nodes</b>	6
<b>CPU Cores</b>	192
<b>Total Memory</b>	2304 GB
<b>Useable Storage*</b>	243.26 TB

\*Estimated useable storage after considering N+1 failover capacity, RF2 redundancy, and storage efficiencies mentioned in previous slide

<b>Rack Units</b>	6U
<b>Power (w)</b>	4500
<b>Thermal</b>	15.4k BTU Hr
<b>Weight</b>	242 lbs



INFORMATION  
TECHNOLOGY

# Support Services

	Production Support	Mission Critical Support
Helpdesk Coverage	24x7	24x7
Severity 1 Target Response Time	1 hour	30 minutes
Severity 2 Target Response Time	4 hours	2 hours
Severity 3 Target Response Time	8 hours	4 hours
<b>Software Support</b>		
Major & minor maintenance, patch releases & upgrades	•	•
<b>Pulse - Automatic Support Monitoring</b>		
Automated alerts sent from Nutanix	•	•
<b>Hardware Replacement</b>		
Duration of on-site parts replacement after diagnosed	Next business day	4-hour part replacement
Unlimited support requests	•	•
Maximum number of support admins per contract	6	Unlimited
Direct routing to senior level engineers		•
Root Cause Analysis Reporting		•
Contract Term	1-5 years	1-5 years



# Questions



**INFORMATION  
TECHNOLOGY**



**This Proposal Prepared Exclusively For  
Texarkana Water Utilities**

**Nutanix Refresh - 1 Yr. Support and Pro Licensing / DIR -  
CPO-4444**

**Proposal #022743**

**Version 2**



Main: (913) 338-4950  
Fax: (913) 338-4948  
Email: [sales@choicesolutions.com](mailto:sales@choicesolutions.com)  
Web: [www.choicesolutions.com](http://www.choicesolutions.com)

Wednesday, March 23, 2022

Texarkana Water Utilities  
Brandon Uselton  
800 Olive Street  
Texarkana, TX 75501  
[brandonu@txkusa.org](mailto:brandonu@txkusa.org)

Dear Brandon,

At Choice Solutions we are recognized for bridging the gap between digitally transformative technologies and workplace experiences, which ultimately drive productivity and profitability for those we serve. We do this by always putting your needs as a customer first. We want to earn the right to be your trusted technology advisor, helping you solve your business challenges today and strategizing about your future needs. Our success comes from ensuring we give you an authentic experience and knowing we've done right by you. I always tell new people I meet, who ask about our team, that Choice Solutions would not have been founded if there was another culture out there like it, but there wasn't. I vowed to start a business that was rooted in faith and integrity, that valued people and community every single day, and empowered team members to always do the right thing. Thank you for choosing us. Welcome to the Choice Family!

Best Regards,

Jim

Jim Steinlage

President and CEO

Choice Solutions, L.L.C.



Main: (913) 338-4950  
 Fax: (913) 338-4948  
 Email: sales@choicesolutions.com  
 Web: www.choicesolutions.com

**Prepared For**

Texarkana Water Utilities  
 Brandon Uselton  
 800 Olive Street  
 Texarkana, TX 75501  
 brandonu@txkusa.org  
 (903) 798-3830

**Prepared By**

Shannon Fleming  
 Phone: (913) 647-0208  
 Email: sfleming@choicesolutions.com

<b>NUTANIX ENTERPRISE CLOUD PLATFORM</b>	<b>PRICE</b>	<b>QTY</b>	<b>EXTENDED</b>
Nutanix NX-8235-G8, 2 NODE; 2X Intel Xeon Silver 4314 Processor (2.4 GHZ/ 16-CORE/ 135W, ICE LAKE) PER NODE	\$26,277.75	3	\$78,833.25
Nutanix 32GB Memory Module (3200MHZ DDR4 RDIMM)	\$0.00	72	\$0.00
Nutanix 18 TB 3.5 Hard Disk Drive	\$0.00	24	\$0.00
Nutanix 3.84 TB Solid State Drive	\$0.00	12	\$0.00
Nutanix 2200 W Power Supply Unit	\$0.00	6	\$0.00
Nutanix C13/C14, 10A, 4FT Power Cord	\$0.00	6	\$0.00
Nutanix Pro Entitlement License with Production Support	\$66,557.30	1	\$66,557.30
Nutanix Pro Entitlement License with Production Support - Cores	\$0.00	192	\$0.00
Nutanix Pro Entitlement License with Production Support - FlashTb	\$0.00	42	\$0.00
Nutanix Licensing Term in Months	\$0.00	12	\$0.00
Nutanix Production Level Support for Hardware Appliance	\$349.47	6	\$2,096.82
Nutanix Support Term in Months	\$0.00	12	\$0.00
<b>NUTANIX ENTERPRISE CLOUD PLATFORM SUBTOTAL</b>			<b>\$147,487.37</b>

<b>CHOICE SOLUTIONS PROFESSIONAL SERVICES</b>	<b>PRICE</b>	<b>QTY</b>	<b>EXTENDED</b>
Choice Solutions Professional Services - Base Nutanix Install - During Business Hours <i>See Addendum for Base Install Service Description</i>	\$1,250.00	6	\$7,500.00
<b>CHOICE SOLUTIONS PROFESSIONAL SERVICES SUBTOTAL</b>			<b>\$7,500.00</b>



Main: (913) 338-4950  
 Fax: (913) 338-4948  
 Email: sales@choicesolutions.com  
 Web: www.choicesolutions.com

RECAP	AMOUNT
NUTANIX ENTERPRISE CLOUD PLATFORM	\$147,487.37
CHOICE SOLUTIONS PROFESSIONAL SERVICES	\$7,500.00
<b>TOTAL</b>	<b>\$154,987.37</b>

Proposal #022743, Version: 2

This Proposal is valid for 30 days.

Payment Terms: Net 30 days from invoice date.

Taxes, shipping, handling and other applicable charges will be added at invoicing. We reserve the right to cancel orders arising from pricing or other errors.

This Proposal is subject the terms and conditions contained in Exhibit A attached hereto.

IN WITNESS WHEREOF, the parties hereto have caused this Proposal and the following or accompanying Statement of Work to be executed by their duly authorized representatives as of the date written below. This Proposal and the following or accompanying Statement of Work may be executed in two or more counterparts each of which shall be deemed an original, and all of which together shall constitute one and the same instrument. An electronic, facsimile or copy of a signature shall be treated as an original.

**TEXARKANA WATER UTILITIES**

By: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

**CHOICE SOLUTIONS, L.L.C.**

By: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_



Main: (913) 338-4950  
Fax: (913) 338-4948  
Email: [sales@choicesolutions.com](mailto:sales@choicesolutions.com)  
Web: [www.choicesolutions.com](http://www.choicesolutions.com)

## **Choice Solutions Professional Services – Base Nutanix Install**

- Choice Solutions Base Installation professional services include the following:
  - Review and Validate Infrastructure Readiness (Pre-Installation)
  - Node Imaging & Nutanix Cluster(s) Creation
  - Configure / Upgrade Nodes & Configure Hypervisor Cluster(s)
  - Prism Element Configuration and Post-Install Validation Tests
  - Knowledge Transfer and Documentation
  
- Optional Services are available and upon Customer request, a proposal can be presented. Examples of some of the more common advanced features include the following:
  - Prism Pro / Ultimate
  - Move
  - Files
  - Volumes
  - Flow
  - Calm
  - Era
  - Frame
  - Xi Leap
  
- Installation will be done remotely unless otherwise required. Should an on-site visit be necessary, Customer will be responsible for all expenses incurred.
- Customer is responsible for all networking, power and rack requirements called out as part of 'Review and Validate Infrastructure Readiness' phase of the project.
- Customer is ultimately responsible for rack-and-stack activities. If Choice Solutions is required to assist, Customer must be present at all times to facilitate the proper install in Customer's data center.
- Unless scoped otherwise for add-on services, Customer is responsible for VM migrations to Nutanix.
- For 'Software-Only' SKU Nutanix installs, Customer is responsible for the Hardware Compatibility List (HCL) approved hardware installation.
- Formal Nutanix (AOS, AHV, etc.) 'training' is not included. Formal Nutanix training is available as a separate offering but will be delivered from Nutanix and not as part of the Choice Solutions professional services.
- Standard delivery includes drop off at loading dock or Customer door. If special services are required, i.e. floor protection, please let your Account Manager know at time of sign off.



Main: (913) 338-4950  
Fax: (913) 338-4948  
Email: sales@choicesolutions.com  
Web: www.choicesolutions.com

## Exhibit A

The Proposal shall be subject to the following terms and conditions:

- 1. Third-Party Terms.** Customer may purchase third-party hardware, equipment, software licenses, software subscriptions, support, or other services (collectively the “Products”). Customer acknowledges that Choice Solutions is a reseller of the Products manufactured, licensed or provided by third-party manufacturers, licensors or vendors and that those Products are sold to Customer subject to any additional terms imposed by the third party (including, without limitation, warranties, license agreements or terms and conditions). Customer shall receive only the rights set forth in a license agreement for the software to be provided by the applicable third-party licensor. Any services included in the Products are sold by Choice Solutions but provided by the third party Product manufacturer, licensor or vendor under a separate agreement or separate terms and conditions to be provided by such third party to Customer. Customer agrees to comply with the terms and conditions of, and, if Choice Solutions so requests, to execute, any separate agreement provided with any Products and deliver it to Choice Solutions or its third-party manufacturer, licensor or vendor. If Customer breaches such agreement(s), Choice Solutions and its third-party manufacturer, licensor or vendor each shall have the right to enforce such agreement(s) directly against Customer.
- 2. Cancellation & Returns.** Choice Solutions may cancel any or all of the Products if its manufacturer, licensor or vendor does not accept or cancels the applicable order from Choice Solutions. Product returns are solely at the discretion of Choice Solutions which, if accepted, are subject to the written authorization of the manufacturer, licensor or vendor.
- 3. Other Related Services.** Customer acknowledges that (i) Choice Solutions is not responsible for installation, maintenance, upgrading, enhancement, or error correction, of the Products or for any training or other services relating thereto unless specifically set forth in a Statement of Work and (ii) in order to obtain the benefits desired from the Products, Customer may need to obtain and integrate the Products with various other products which are not provided by Choice Solutions under this Agreement. Customer is responsible for obtaining any such additional services and products under a separate agreement from Choice Solutions, the Product manufacturer, licensor or vendor or another qualified third party.
- 4. Disclaimer of Warranty.** FOR ALL THIRD-PARTY PRODUCTS, CHOICE SOLUTIONS PROVIDES THE PRODUCTS “AS IS” WITH NO WARRANTY TO CUSTOMER AND DISCLAIMS ANY AND ALL EXPRESS OR IMPLIED WARRANTIES, INCLUDING WITHOUT LIMITATION, ANY WARRANTY OF MERCHANTABILITY, NON-INFRINGEMENT OR FITNESS FOR A PARTICULAR PURPOSE.
- 5. Limitation of Liability.** UNDER NO CIRCUMSTANCES, WHETHER ON CONTRACT, WARRANTY, TORT (INCLUDING NEGLIGENCE OR MALFEASANCE ON THE PART OF ITS EMPLOYEES OR CONTRACTORS OR OTHERWISE), SHALL CHOICE SOLUTIONS BE LIABLE FOR ANY INDIRECT, SPECIAL, CONSEQUENTIAL OR INCIDENTAL DAMAGES RESULTING FROM THE PRODUCTS SOLD OR SERVICES RENDERED OR THE FAILURE TO DELIVER OR RENDER SUCH PRODUCTS OR SERVICES PURSUANT TO THIS AGREEMENT, INCLUDING WITHOUT LIMITATION THERETO, LOST PROFITS, LOSS OF REVENUE, LOSS OF USE, LOSS OF DATA, LOSS OF EQUIPMENT OR ANY AFFILIATED COMPONENTS OR LIABILITY TO THIRD PARTIES HOWEVER CAUSED. If, notwithstanding the above provisions, there should arise any liability on the part of Choice Solutions, such liability for each occurrence shall be limited to an amount equal to Customer’s actual direct damages not to exceed the fee paid by Customer to Choice Solutions for such applicable Products or Services to which the claim relates, and received as liquidated damages and not as a penalty.



## CITY OF TEXARKANA, AR BOARD OF DIRECTORS

---

**AGENDA TITLE:** Adopt a Resolution to amend the 2022 American Rescue Plan Act (ARPA) Budget for inclusion of specific street projects. (FIN) Finance Director TyRhonda Henderson

**AGENDA DATE:** 04/04/2022

**ITEM TYPE:** Ordinance  Resolution  Other :

**DEPARTMENT:** Finance Department

**PREPARED BY:** TyRhonda Henderson, Finance Director

---

**REQUEST:** N/A

**EMERGENCY CLAUSE:** N/A

---

**SUMMARY:** The year end 2022 ARPA Budget was approved by the Board of Directors on December 20, 2021. In January 2022, the US Department of Treasury issued the SLFRF Final Rule which will go into effect on April 1, 2022. This rule changed the determination of revenue loss. The interim final rule required all entities receiving ARPA funds to calculate actual revenue loss according to the formula articulated in the interim final rule. The final rule allows all recipients to elect a “standard allowance” of \$10 million to spend on government services through the period of performance. This change will allow the City to dedicate APRA funds to the following street projects:

Rolling Ridge - \$436,000  
Dudley Ave - \$615,000  
Jefferson Ave (12<sup>th</sup> to 18<sup>th</sup>) - \$220,000  
Stallion Dr - \$138,000  
Woodland Rd. - \$390,000  
Sanderson Ln (I30 to Sugarhill Rd.) - \$456,000  
Boyd Rd. - \$680,000

Total Street Projects - \$2,935,000

The funds for these projects will be reallocated from the following allocations:

Misc Street Projects; \$2,900,000  
Professional Services: \$35,000

---

**EXPENSE REQUIRED:** \$2,935,000

---

---

**AMOUNT BUDGETED:** \$2,935.000

---

**APPROPRIATION** \$0  
**REQUIRED:**

---

**RECOMMENDED** City Manager and staff recommend approval  
**ACTION:**

---

**EXHIBITS:** Resolution and budget

---

# RESOLUTION NO. \_\_\_\_\_

**WHEREAS**, issuance of the State and Local Fiscal Recovery Funds (SLFRF) Final Rule by the United States Department of the Treasury changed the determination of revenue loss from that of the prior interim rule and allows the City to reallocate American Rescue Plan Act (APRA) funds from Miscellaneous Projects in the amount of \$2,900,000.00, and Professional Services in the amount of \$35,000.00 to the following street projects in respective amounts stated:

Rolling Ridge - \$436,000.00  
Dudley Avenue - \$615,000.00  
Jefferson Avenue (12<sup>th</sup> to 18<sup>th</sup>) - \$220,000.00  
Stallion Drive - \$138,000.00  
Woodland Road - \$390,000.00  
(I-30 to Sugarhill Road) - \$456,000.00  
Boyd Road - \$680,000.00

**WHEREAS**, the City Manager recommends approval;

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Directors of the City of Texarkana, Arkansas, that the 2022 ARPA Budget is amended to reflect the reallocations described above.

**PASSED AND APPROVED** this 4<sup>th</sup> day of April, 2022.

\_\_\_\_\_  
Allen L. Brown, Mayor

**ATTEST:**

\_\_\_\_\_  
Heather Soyars, City Clerk

**APPROVED:**

\_\_\_\_\_  
George Matteson, City Attorney

# American Rescue Act Fund (233)

	<i>ACTUAL 2020</i>	<i>BUDGET 2021</i>	<i>ESTIMATED 2021</i>	<i>PROPOSED 2022</i>
BEGINNING FUND BALANCE	0		(0)	2,464,052
<b>REVENUES</b>				
47002 AMERICAN RESCUE ACT	0	7,915,767	3,957,884	3,957,884
<b>TOTAL</b>	0	7,915,767	3,957,884	3,957,884
<b>SUPPLIES</b>				
51013 SALARIES - OTHER	0	400,000	0	0
52010 PROFESSIONAL SERVICES	0	791,577	135,803	655,774
54003 MISC STREET PROJECTS	0	2,900,000	0	2,900,000
54008 DRAINAGE IMPROVEMENTS	0	471,273	0	471,273
54259 NIX CREEK DRAINAGE	0	1,724,190	0	1,724,190
58446 REGIONAL AIRPORT	0	1,628,727	972,090	656,637
59101 GENERAL FUND (PREMIUM PAY)	0	0	356,874	0
59201 STREET FUND (PREMIUM PAY)	0	0	29,066	0
<b>TOTAL</b>	0	7,915,767	1,493,833	6,407,874
NET CHANGE IN UNRESERVED / UNAPPROPRIATED FUND BALANCE	(0)		2,464,051	(2,449,990)
ENDING FUND BALANCE	(0)		2,464,052	14,062
FUND BALANCE AS % OF REVENUES				



## CITY OF TEXARKANA, AR BOARD OF DIRECTORS

---

**AGENDA TITLE:** Adopt an Ordinance to rezone a tract of land located in the 600 block of Meadows Road from R-2 Single-family residential to A-1 Mixed use rural zoning, in order to build a shop before building the house. (Barr) (Ward 3) (PWD-Planning) City Planner Mary Beck

**AGENDA DATE:** 04/04/2022

**ITEM TYPE:** Ordinance  Resolution  Other : \_\_\_\_\_

**DEPARTMENT:** Public Works/Planning

**PREPARED BY:** Mary Beck

---

**REQUEST:** Adopt an ordinance to rezone a tract of land from R-2 Single-family residential to A-1 Mixed use rural zoning in order to build a shop before building the house.

**EMERGENCY CLAUSE:** None requested

---

**SUMMARY:** The Planning Commission recommends rezoning the property to A-1.

---

**EXPENSE REQUIRED:** 0

---

**AMOUNT BUDGETED:** 0

---

**APPROPRIATION  
REQUIRED:** 0

---

**RECOMMENDED  
ACTION:** Adopt an ordinance to rezone property for benefits of a rural mixed-use zone.

---

**EXHIBITS:** Ordinance, Memo to City Manager, Miller County ownership information, subdivision, map.

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE AMENDING ORDINANCE NO. K-286, AS AMENDED; AND FOR OTHER PURPOSES**

**WHEREAS**, an application to amend the Land Use Plan was filed with the Planning Commission of the City of Texarkana, Arkansas, requesting that the following land be rezoned from R-2 Single family residential to A-1 Mixed use rural zoning:

Lot No. 2, Block 1, BARR SUBDIVISION to the City of Texarkana, Miller County, Arkansas.

**WHEREAS**, the Planning Commission, after public hearing, approved said application and recommended that the Board of Directors of the City of Texarkana, Arkansas, adopt the ordinance affecting said rezoning request; and

**NOW, THEREFORE, BE IT ORDAINED** by the Board of Directors of the City of Texarkana, Arkansas:

Ordinance No K-286, as amended, is hereby amended to rezone the above-described property in the City of Texarkana, Arkansas, from R-2 Single family residential to A-1 Mixed use rural zoning. This is solely a rezoning and no other action, conveyance, or release of interest.

**PASSED AND APPROVED** this 4<sup>th</sup> day of April, 2022.

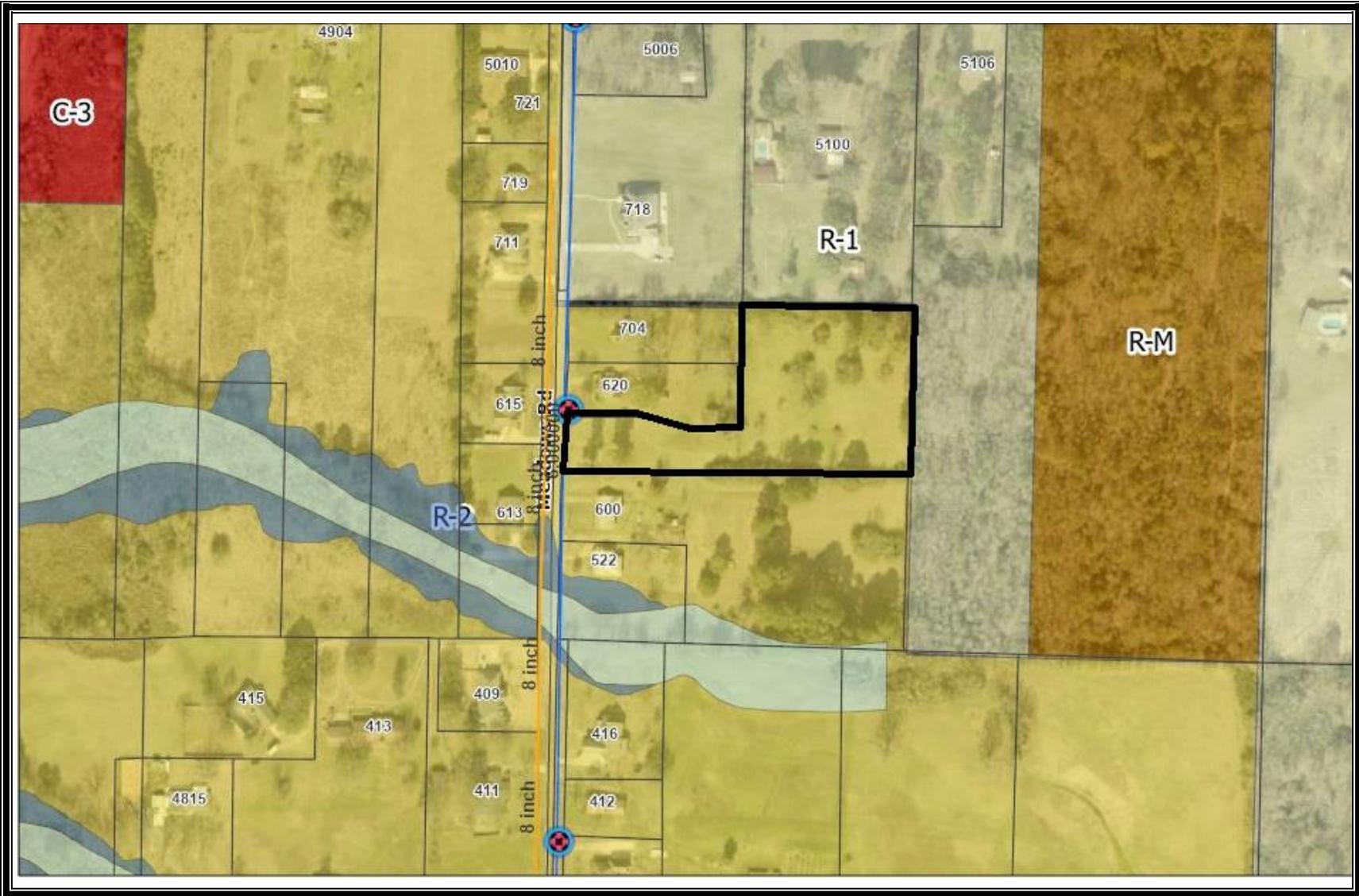
\_\_\_\_\_  
Allen L. Brown, Mayor

**ATTEST:**

\_\_\_\_\_  
Heather Soyars, City Clerk

**APPROVED:**

\_\_\_\_\_  
George Matteson, City Attorney



### Planning Commission review

Prepared by:  
Planning Division - Public Works Department  
City of Texarkana, Arkansas



## CITY OF TEXARKANA ARKANSAS

### DEPARTMENT OF PUBLIC WORKS

216 WALNUT ST 71854-6024

P O BOX 2711 TEXARKANA ARKANSAS 75504-2711

PHONE (870) 779-4971 – FAX (870) 773-2395

## MEMORANDUM

**TO:** Jay Ellington, City Manager  
**FROM:** Mary L. Beck, City Planner  
**DATE:** March 11, 2022  
**SUBJECT:** Board of Directors Agenda item for April 4, 2022 – **Rezoning recommendation** – Request by Burns Barr, 1048 Vanderbilt Road, Texarkana, AR 71854, to rezone property from R-2 Single family residential to A-1 Mixed use rural zone in order to construct a shop and home on the property under the guidelines the A-1 zone allows.

### LEGAL DESCRIPTION:

The property is legally described as Lot No. 2, Block 1, BARR SUBDIVISION and contains 2.842 acres more or less. The property is located in the 600 block of Meadows Road and is addressed as 91 Meadows Road.

### REASON FOR REQUEST:

To have the option of locating an accessory building on the property and building it prior to, or without construction of a primary dwelling that the A-1 zone offers.

### EXISTING LAND USES:

Site: Vacant  
North: Single-family dwelling  
East: Vacant  
South: Single-family dwelling  
West: Single-family dwelling

### EXISTING ZONING:

Site: R-2 Single family dwelling  
North: R-1 Rural residential & R-2 Single family residential  
South: R-2 Single family residential  
East: R-1 Rural residential overlay



[www.arkansas.txkusa.org](http://www.arkansas.txkusa.org)

West: R-2 Single family residential

**COMPATIBILITY WITH EXISTING ZONING:**

The long-term comprehensive plan of 1988 shows this area with a recommendation for single family housing with areas on the north south and east as low-density housing. Development in this area has followed the pattern of low-density single-family housing since that plan's development. The A-1 mixed use rural zone was specifically developed for compatibility with R-1 Rural residential zoning that is characterized by low-density housing in less developed areas of the City and the size of this property would confine it to one residence. No other land uses are indicated other than single family dwellings on large lots or vacant land adjacent to this property and no conflicts are anticipated.

**UTILITIES & TRANSPORTATION NETWORK:**

Local : Meadows Drive

Collector: None

Arterial: None

Water: 6" located in Meadows Drive but if the residence is further from the road than 300 linear feet a well may be used if approved by Miller County Health Department.

Sewer: 8" located in Meadows Drive but if the residence is further from the road than 300 linear feet an approved septic system meeting standards of the Miller County Health department can be used.

Fire hydrant: Located a few feet north of the property at 620 Meadows Drive.

**CONFORMANCE WITH APPLICABLE ORDINANCES AND/OR STATE STATUTES:**

The *Arkansas Code of 1987 Annotated (14-56-422B)* requires the following – “All plans, recommended ordinances, and regulations shall be adopted through the following procedure for adoption of plans and regulations:

(A) The Planning Commission shall hold a public hearing on the plans, ordinances, and regulations proposed under this subchapter.

(B) Notice of public hearing shall be published in a newspaper of general circulation in the city, at least (1) time fifteen days prior to the hearing.

(2) Following the public hearing, proposed plans may be adopted, and proposed ordinance and regulations may be recommended as presented, or in modified form, by a majority vote of the entire commission.

(3) Following its adoption of plans and recommendation of ordinances and regulations, the commission shall certify adopted plans of recommended ordinances and regulations to the legislative body of the city for its adoption.

(4) The legislative body of the city may return the plans and recommended ordinances and regulations to the commission for further study or rectification, or, by a majority vote of the entire membership, may, by ordinance or resolution, adopt the plans and recommended ordinances or regulations submitted by the commission. However, nothing in this subchapter shall be construed to limit the city board's authority to recall the ordinances and resolutions by a vote of a majority of the council.

(5) Following adoption by the legislative body, the adopted plans, ordinances, and regulations shall be filed in the office of the City Clerk. The City Clerk shall file, with the county recorder of the counties in which territorial jurisdiction is being exercised such plans, ordinances, and regulations as pertain to the territory beyond the corporate limits.

The required notice was published in the Sunday, February 20, 2022 edition of the Texarkana Gazette. Letters were mailed to twenty-four (24) adjacent property owners within 300' as required.

**OPPOSITION:**

There was opposition prior to the Planning Commission meeting when concerns about possible commercial activity was voiced, however, all the neighbors who attended the meeting were satisfied this zone was not a threat to them and no objections were presented when the plans and zone were better understood.

**PLANNING COMMISSION CERTIFICATION:**

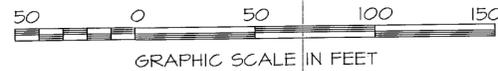
The Planning Commission met on March 8, 2022 and on a motion by Mr. Boots Thomas, seconded by Mr. Jason Dupree, a roll call vote carried the motion for approval of the zoning recommendation 5-0 with no opposition:

Adger Smith	Yes
Anderson Neal	Yes
Bertha Dunn	Yes
Jason Dupree	Yes
Randall Hickerson	Absent
Clyde "Boots" Thomas	Yes
Vacancy	

**ACTION REQUESTED BY CITY BOARD OF DIRECTORS:**

To adopt an ordinance to change zoning from R-1 Rural residential to A-1 Mixed use rural residential.

The *Arkansas Code of 1987 Annotated* requires every ordinance to be read three times before adoption. These three readings may all occur at the same meeting or at the second and third subsequent meetings after the first reading of the ordinance.



OFFER OF IRREVOCABLE DEDICATION

KNOWN ALL PERSONS BY THESE PRESENT:

That we, Burns A. Barr, II and Rebecca K. Barr, being the owners of the hereon legally described tract of land, do hereby plat and layout the same into a subdivision of the City of Texarkana, Miller County, Arkansas, said subdivision to be known, designated and hereafter referred to by its subdivision name, BARR SUBDIVISION, legally described as part of the NW1/4 of the NE1/4 of Section 27, T. 15 S., R. 28 W., Miller County, Arkansas, same being composed of two (2) lots, all as more particularly set out in detail on the survey and plat of which this dedication is a part.

This plat designates certain improvements consisting of street right-of-way as shown upon the said plat. We further dedicate to the use of the present and future owners of said several lots for obtaining utilities (including without being limited to, utilities and utility companies providing said premises with water, sewage service, telephone service, electricity and gas) serving said premises, the easements located on said plat and designated as utility and/or guy easements, to be dedicated to the City of Texarkana, Arkansas, free and clear of all encumbrances and liens, pursuant to the regulations and requirements of the City of Texarkana, Arkansas.

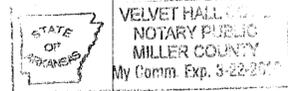
This offer of dedication is irrevocable and can be formally accepted by the City at any time. This offer shall run with the land and shall be binding on all assignees, grantees, successors or heirs of the developer.

*Burns A. Barr, II*  
Burns A. Barr, II

*Rebecca Barr*  
Rebecca K. Barr

NOTARY ACKNOWLEDGEMENT

STATE OF ARKANSAS  
COUNTY OF MILLER



BE IT REMEMBERED, that on this day same appeared before me, the undersigned, a Notary Public within and for the County of aforesaid, duly commissioned and acting, Burns A. Barr, II and Rebecca K. Barr, to me well known as the grantors in the foregoing Dedication, and acknowledged that they had executed the same for the consideration and purpose therein mentioned and set forth.

WITNESS my hand and seal as such Notary Public, on this 11th day of October, 2008.  
*Velvet Hall* Notary Public, Miller County, Arkansas

My Commission Expires: 3/22/2010

CERTIFICATE OF SURVEYOR

THIS IS TO CERTIFY: that the plat hereon is a true representation of the hereon described property as determined by survey and that I, the undersigned, Richard V. Hall, Jr., have surveyed and marked on the ground the boundaries and corners shown on said plat of the two (2) lots of BARR SUBDIVISION of the City of Texarkana, Miller County, Arkansas. This property does not appear within a designated Flood Plain Area.

*Richard V. Hall, Jr.*  
Richard V. Hall, Jr.  
Registered Land Surveyor # 820

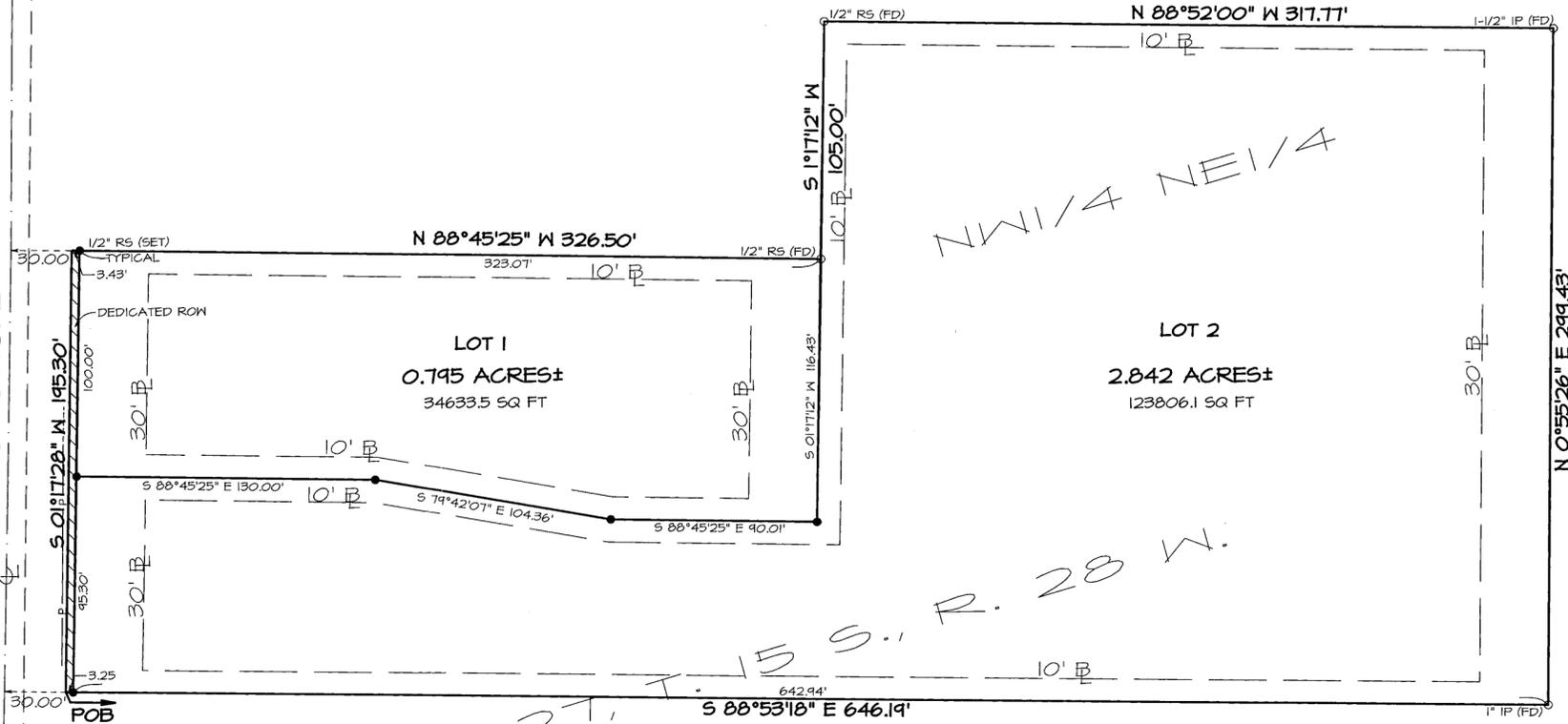
CERTIFICATE OF APPROVAL BY PLANNING ADMINISTRATOR

I, the undersigned, do hereby certify that the plat of BARR SUBDIVISION together with the Owner's Certificate and Surveyor's Certificate of same were presented to the Planning Administrator of the City of Texarkana, Arkansas, for its approval; that said plat, Owner's Certificate and Surveyor's Certificate, being found to conform to the requirements in all aspects are in all approved this the 5th day of January, 2009.

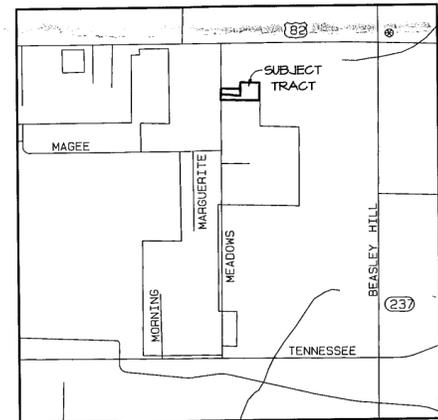
*Richard Barr*  
Chairman Planning Administrator

Above approval shall expire 121 days after approval unless the approved plat is legally recorded prior to such.

MEADOWS ROAD



SECTION 27, T. 15 S., R. 28 W.



VICINITY MAP  
SCALE 1"=2000'

DESCRIPTION OF PROPERTY:

All that certain tract or parcel of land being a part of the NW1/4 of the NE1/4 of Section 27, T. 15 S., R. 28 W., Miller County, Arkansas and being more particularly described by metes and bounds as follows:

BEGINNING at an iron pipe on the East side of a public road designated as Meadows Road, same being 949.83 ft. South and 2643.26 ft. West of the Northeast corner of Section 27, T. 15 S., R. 28 W., Miller County, Arkansas, said POINT OF BEGINNING being the west terminal point of the common boundary line as described in the Court Order of the Chancery Court of Miller County, Walker vs. Moore, E-79-243 dated September 10, 1991:

- THENCE - S. 88° 53' 18" E., 646.19 ft. with an existing fence line to a 1" iron pipe found in place, same being the east terminal point of the above mentioned court ordered common boundary line;
- THENCE - N. 00° 55' 26" E., 299.43 ft. with an existing fence line to a 1/2" iron pipe found in place at a fence corner;
- THENCE - N. 88° 52' 00" W., 317.77 ft. along an existing fence line to a 1/2" reinf. steel set for corner;
- THENCE - S. 01° 17' 12" W., 105.00 ft. to a 1/2" reinf. steel set for corner;
- THENCE - N. 88° 45' 25" W., 326.50 ft. to a 1/2" reinf. steel set for corner on the East side of the above mentioned Meadows Road;
- THENCE - S. 01° 17' 28" W., 195.30 ft. to the POINT OF BEGINNING and containing 3.652 acres of land, more or less.

CONVEYANCE TO OWNER VOLUME 409, PG 765,  
DEED RECORDS, MILLER COUNTY, ARKANSAS

CODE NO. 500-155-28W-0-27-140-46-0388

REF. NO. 500-

DO NOT REPRODUCE

This document contains confidential information, is an instrument of service and the property of the Surveyor. It shall not be used on other projects, for the extension of this project, or reproduced without the written approval of the Surveyor.

FINAL SUBDIVISION PLAT  
BARR SUBDIVISION  
PART OF THE NW1/4 NE1/4  
SECTION 27, T. 15 S., R. 28 W.  
MILLER COUNTY, ARKANSAS

PREPARED FOR: REBECCA BARR

HALL SURVEYING & ENGINEERING  
SURVEYING, ENGINEERING AND PLANNING  
403 E. 9TH ST. TEXARKANA, AR 71854 (870) 773-8531

Drawn: KDF/GRH	Checked: RVHjr
File: 2001-012.FRO	
Cert.: 820	FB: 463/18-20
Date: 11/11/08	
Revisions:	
DRAWING NO. 2001-012-02-01C	

1-27-2007

200912000526

**Property Owner**

**Name:** BARR, BURNS A II & REBECCA K

**Property Information**

**Physical Address:** MEADOWS RD

**Mailing Address:** 1048 VANDERBILT RD  
 TEXARKANA, AR 71854

**Subdivision:** BARR SUBD

**Block / Lot:** N/A / 002

**Type:** (RV) Res. Vacant

**S-T-R:** 27-15S-28W

**Tax Dist:** (07T) TEXARKANA

**Size (Acres):** 2.842

**Millage Rate:** 54.90

**Extended Legal:** ALL LOT 2

**Market and Assessed Values**

**Taxes**

	Estimated Market Value	Full Assessed (20% Mkt Value)	Taxable Value
<b>Land:</b>	\$31,250	\$6,250	\$6,250
<b>Building:</b>	0	0	0
<b>Total:</b>	\$31,250	\$6,250	\$6,250

<b>Estimated Taxes:</b>	\$343
<b>Homestead Credit:</b>	\$0 <small>Note: Tax amounts are estimates only. Contact the county/parish tax collector for exact amounts.</small>

**Land**

Land Use	Size	Units
	2.842	Acres
<b>Total</b>	<b>2.842</b>	

**Deed Transfers**

Deed Date	Book	Page	Deed Type	Stamps	Est. Sale	Grantee	Code	Type
3/23/2001	409	765	Warr. Deed	151.80	\$46,000	BARR, BURNS A II & REBECCA K	Unval.	Improved

**Reappraisal Value History**

Tax Year	Total Value	Total Assessed
2015	\$31,250.00	\$6,250.00
2016	\$31,250.00	\$6,250.00
2017	\$31,250.00	\$6,250.00
2018	\$31,250.00	\$6,250.00
2019	\$31,250.00	\$6,250.00
2020	\$31,250.00	\$6,250.00
2021	\$31,250.00	\$6,250.00



## CITY OF TEXARKANA, AR BOARD OF DIRECTORS

---

**AGENDA TITLE:** Adopt an Ordinance to rezone a tract of land located at 91 S. Valley Drive from R-1 Rural residential to A-1 Mixed use rural zoning, in order to build a shop before building the house. (Kegley) (Ward 1) (PWD-Planning) City Planner Mary Beck

**AGENDA DATE:** 04/04/2022

**ITEM TYPE:** Ordinance  Resolution  Other : \_\_\_\_\_

**DEPARTMENT:** Public Works/Planning

**PREPARED BY:** Mary Beck

---

**REQUEST:** Adopt an ordinance to rezone a tract of land from R-1 Rural residential to A-1 Mixed use rural zoning in order to build a shop before building the house.

**EMERGENCY CLAUSE:** None requested

---

**SUMMARY:** The Planning Commission recommends rezoning the property to A-1.

---

**EXPENSE REQUIRED:** 0

---

**AMOUNT BUDGETED:** 0

---

**APPROPRIATION  
REQUIRED:** 0

---

**RECOMMENDED  
ACTION:** Adopt an ordinance to rezone property for benefits of a rural mixed-use zone.

---

**EXHIBITS:** Ordinance, Memo to City Manager, Miller County ownership information, subdivision plat, map.

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE AMENDING ORDINANCE NO. K-286, AS AMENDED; AND FOR OTHER PURPOSES**

**WHEREAS**, an application to amend the Land Use Plan was filed with the Planning Commission of the City of Texarkana, Arkansas, requesting that the following land be rezoned from R-1 Rural residential to A-1 Mixed use rural zoning:

Lot 1, Block 1, HENNESSY SUBDIVISION, City of Texarkana, Miller County, Arkansas.

**WHEREAS**, the Planning Commission, after public hearing, approved said application and recommended that the Board of Directors of the City of Texarkana, Arkansas, adopt the ordinance affecting said rezoning request; and

**NOW, THEREFORE, BE IT ORDAINED** by the Board of Directors of the City of Texarkana, Arkansas:

Ordinance No K-286, as amended, is hereby amended to rezone the above-described property in the City of Texarkana, Arkansas, from R-1 Rural residential to A-1 Mixed use rural zoning. This is solely a rezoning and no other action, conveyance, or release of interest.

**PASSED AND APPROVED** this 4<sup>th</sup> day of April, 2022.

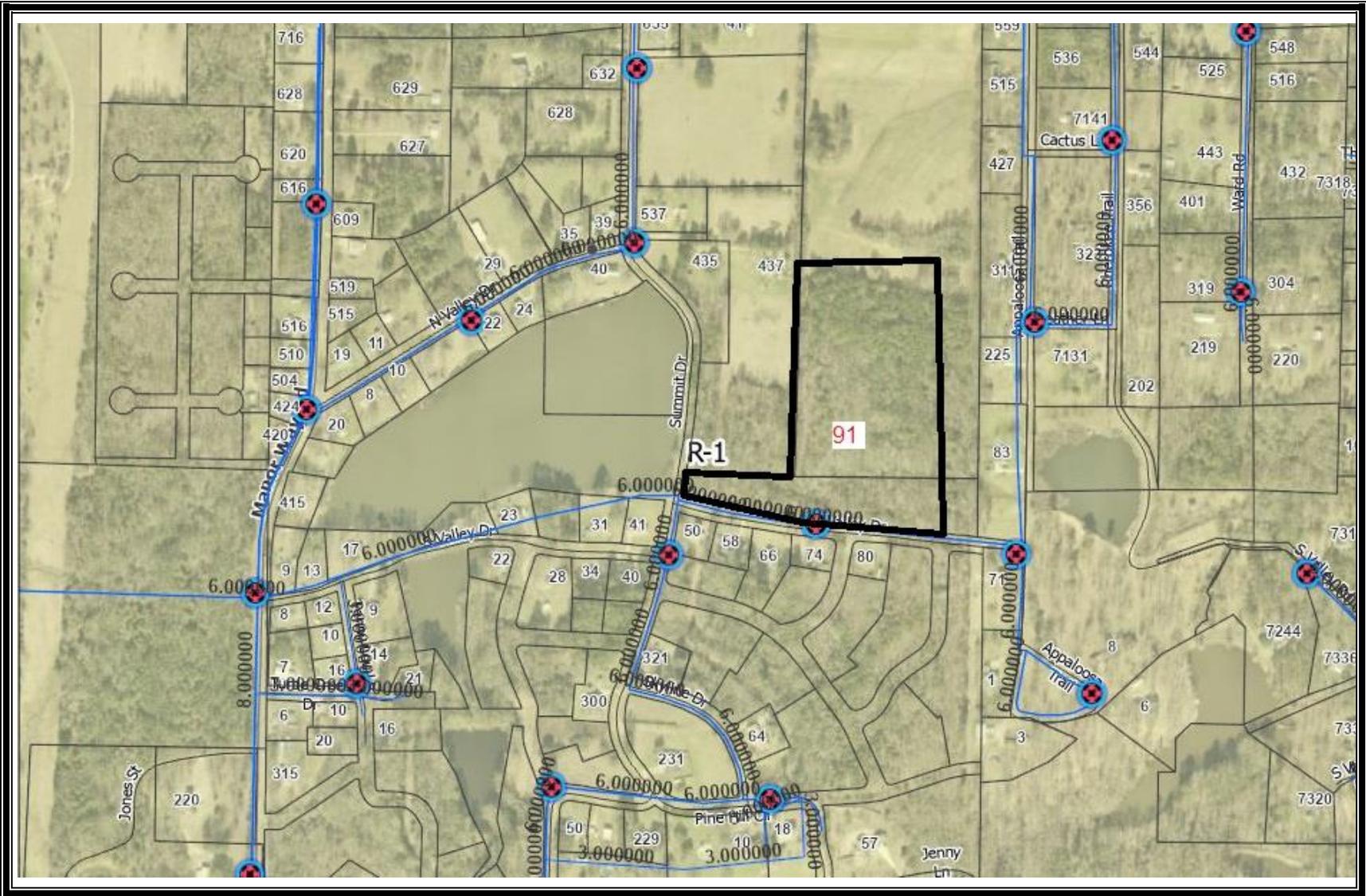
\_\_\_\_\_  
Allen L. Brown, Mayor

**ATTEST:**

\_\_\_\_\_  
Heather Soyars, City Clerk

**APPROVED:**

\_\_\_\_\_  
George Matteson, City Attorney



### Planning Commission review

Prepared by:  
Planning Division - Public Works Department  
City of Texarkana, Arkansas

Parcel: 7910010

# Miller County Report

ID: 46791

Prev. Parcel: 5770170 & 00312800

As of: 3/10/2022

## Property Owner

**Name:** KEGLEY, JIM BOB JR & A MICHELE

## Property Information

**Physical Address:** 91 S VALLEY DR

**Mailing Address:** 841 MC 57  
TEXARKANA, AR 71854

**Subdivision:** HENNESSY SUBD

**Block / Lot:** N/A / 001

**Type:** (AV) Agri Use/Vacant

**S-T-R:** 25-15S-28W

**Tax Dist:** (07T) TEXARKANA

**Size (Acres):** 14.120

**Millage Rate:** 54.90

**Extended Legal:** ALL LOT 1

## Market and Assessed Values

## Taxes

	Estimated Market Value	Full Assessed (20% Mkt Value)	Taxable Value
<b>Land:</b>	\$2,000	\$400	\$400
<b>Building:</b>	0	0	0
<b>Total:</b>	\$2,000	\$400	\$400

<b>Estimated Taxes:</b>	\$22
<b>Homestead Credit:</b>	\$0

Note: Tax amounts are estimates only. Contact the county/parish tax collector for exact amounts.

## Special Assessments

Assessment	Tax Amount
TIMBER TAX	\$2.40
<b>Total</b>	<b>\$2.40</b>

## Land

Land Use	Size	Units
Timber(08)	4.120	Acres
Pasture(12)	1.500	Acres
Timber(13)	4.621	Acres
Timber(14)	3.879	Acres
<b>Total</b>	<b>14.120</b>	

## Deed Transfers

Deed Date	File Date	Book	Page	Deed Type	Stamps	Est. Sale	Grantee	Code	Type
4/21/2021	5/15/2019	2019	R0030 22	Warr. Deed			KEGLEY, MICHELE- DAILEY, MARSHA &	Relative	Improve d
4/6/2021	4/19/2021	2021	R0031 05	Warr. Deed			KEGLEY, JIM BOB JR & A MICHELE	Relative	Improve d

## Reappraisal Value History

Tax Year	Total Value	Total Assessed
2021	\$2,000.00	\$400.00

**Not a Legal Document.**  
Subject to terms and conditions.  
[www.actDataScout.com](http://www.actDataScout.com)



**CITY OF TEXARKANA ARKANSAS**  
**DEPARTMENT OF PUBLIC WORKS**  
216 WALNUT ST 71854-6024  
P O BOX 2711 TEXARKANA ARKANSAS 75504-2711  
PHONE (870) 779-4971 – FAX (870) 773-2395

## MEMORANDUM

**TO:** Jay Ellington, City Manager  
**FROM:** Mary L. Beck, City Planner  
**DATE:** March 11, 2022  
**SUBJECT:** Board of Directors Agenda item for April 4, 2022 – **Rezoning recommendation** – Request by Jim Bob Kegley, 841 MC 57, Texarkana, AR 71854 to rezone property from R-1 Rural residential to A-1 Mixed use rural zoning.

### LEGAL DESCRIPTION:

The property is legally described at Lot 1, Block 1, HENNESSY SUBDIVISION, and contains 14.12 acres more or less. The property is located at located at 91 S. Valley Drive.

### REASON FOR REQUEST:

The A-1 zone offers options of allowing a shop nearer the front of the property than the residence and option to construct the shop building before the house.

### EXISTING LAND USES:

Site: Vacant  
North: Vacant  
East: Single-family dwelling  
South: Single-family dwelling  
West: Lake

### EXISTING ZONING:

Site: R-1 Rural residential overlay  
North: R-1 Rural residential overlay  
South: R-1 Rural residential overlay  
East: R-1 Rural residential overlay  
West: R-1 Rural residential

### COMPATIBILITY WITH EXISTING ZONING:

The long-term comprehensive plan does not include this area. However, the nearest zoning that was part of that plan is identified by a recommendation for low-density single-family housing that is a description of the type of land use for R-1 Rural residential zoning. No other land uses are indicated other than rural residential or vacant land in this vicinity and no conflicts are anticipated as the A-1 mixed use rural zone is designed to function along side R-1 Rural residential zoning.

**UTILITIES & TRANSPORTATION NETWORK:**

- Local : South Valley Drive
- Collector: None
- Arterial: None
- Water: 6” located in South Valley Drive
- Sewer: A septic system meeting standards of the Miller County Health department and Arkansas State Statutes will be required.
- Fire hydrant: Located on or at the property on South Valley Drive.

**CONFORMANCE WITH APPLICABLE ORDINANCES AND/OR STATE STATUTES:**

The *Arkansas Code of 1987 Annotated (14-56-422B)* requires the following – “All plans, recommended ordinances, and regulations shall be adopted through the following procedure for adoption of plans and regulations:

- (A) The Planning Commission shall hold a public hearing on the plans, ordinances, and regulations proposed under this subchapter.
- (B) Notice of public hearing shall be published in a newspaper of general circulation in the city, at least (1) time fifteen days prior to the hearing.
- (2) Following the public hearing, proposed plans may be adopted, and proposed ordinance and regulations may be recommended as presented, or in modified form, by a majority vote of the entire commission.
- (3) Following it adoption of plans and recommendation of ordinances and regulations, the commission shall certify adopted plans of recommended ordinances of and regulations to the legislative body of the city for its adoption.
- (4) The legislative body of the city may return the plans and recommended ordinances and regulations to the commission for further study or rectification, or, by a majority vote of the entire

membership, may, by ordinance or resolution, adopt the plans and recommended ordinances or regulations submitted by the commission. However, nothing in this subchapter shall be construed to limit the city board's authority to recall the ordinances and resolutions by a vote of a majority of the council.

(5) Following adoption by the legislative body, the adopted plans, ordinances, and regulations shall be filed in the office of the City Clerk. The City Clerk shall file, with the county recorder of the counties in which territorial jurisdiction is being exercised such plans, ordinances, and regulations as pertain to the territory beyond the corporate limits.

The required notice was published in the Sunday, February 20, 2022 edition of the Texarkana Gazette. Letters were mailed to twenty-four (24) adjacent property owners within 300' as required.

**OPPOSITION:**

None received to date.

**PLANNING COMMISSION CERTIFICATION:**

The Planning Commission met on March 8, 2022 and on a motion by Mr. Boots Thomas, seconded by Mr. Jason Dupree, a roll call vote carried the motion for approval of the zoning recommendation 5-0 with no opposition:

Adger Smith	Yes
Anderson Neal	Yes
Bertha Dunn	Yes
Jason Dupree	Yes
Randall Hickerson	Absent
Clyde "Boots" Thomas	Yes
Vacancy	

**ACTION REQUESTED BY CITY BOARD OF DIRECTORS:**

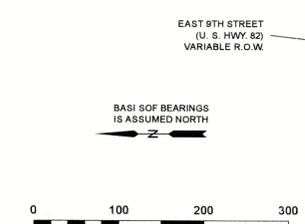
To adopt an ordinance to change zoning from R-1 Rural residential to A-1 Mixed use rural residential.

The *Arkansas Code of 1987 Annotated* requires every ordinance to be read three times before adoption. These three readings may all occur at the same meeting or at the second and third subsequent meetings after the first reading of the ordinance.

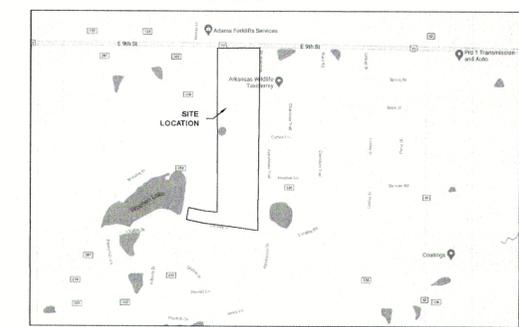
# HENNESSY SUBDIVISION

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C1	529.90	71.99	71.93	N 82°29'45" W	174°47'02"
C2	25.00	36.10	33.05	N 37°13'56" W	182°44'37"

LINE	BEARING	DISTANCE
L1	N 78°36'14" W	179.16
L2	N 04°08'23" E	119.07
L3	S 89°28'37" E	145.00
L4	N 87°45'30" E	131.23
L5	N 85°32'30" E	119.26
L6	S 01°08'17" E	100.00
L7	S 01°08'17" E	185.97
L8	N 01°51'01" E	100.69
L9	N 89°04'36" E	84.90
L10	N 89°04'36" E	280.67
L11	N 89°04'36" W	110.47
L12	N 89°04'36" W	85.30
L13	N 89°04'36" E	20.00
L14	N 89°04'36" W	188.27
L15	N 00°55'24" W	200.57
L16	N 89°04'36" E	1297.67

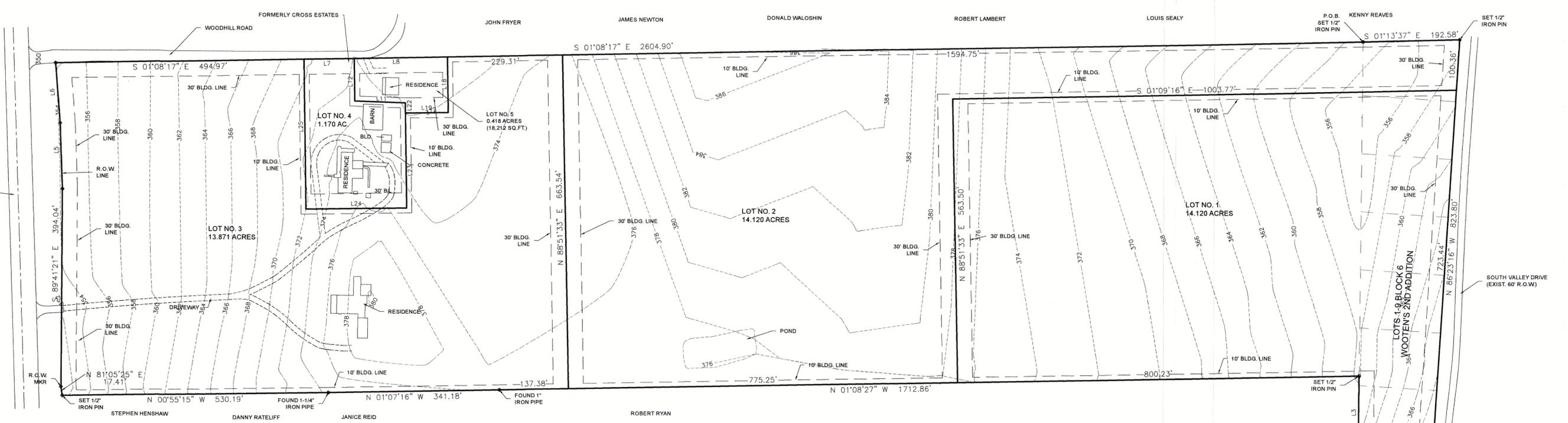


VICINITY MAP NOT TO SCALE



NOTE: ACCORDING TO THE FEMA FLOOD MAP 05091C0150D, EFFECTIVE DATE: 12/18/2009, THE HEREON DESCRIBED TRACT OF LAND DOES NOT APPEAR TO LIE WITHIN A SPECIAL FLOOD HAZARD AREA.

NOTE: CONTOURS SHOWN ARE FOR PLATTING PURPOSES ONLY AND SHOULD NOT BE RELIED UPON FOR CONSTRUCTION OR DESIGN PURPOSES.



**DESCRIPTION OF PROPERTY:**

All that certain tract or parcel of land being a part of the E 1/2 of the E 1/2 of the NW 1/4 of Section 25, Township 15 South, Range 28 West, Miller County, Arkansas, all of Lots Numbered 1, 2, 3, 4, 5, 6, 7, 8, and 9 in Block 6 of Wooten's 2nd Subdivision according to the map or plat recorded in Volume 179, Page 65 of the Plat Records of Miller County, Arkansas, and all of Lots Numbered 1 and 2 of Cross Estates according to the map or plat recorded in Volume 179-4, Page 41 of the Plat Records of Miller County, Arkansas, and the subject tract of land being more particularly described by metes and bounds as follows:

Beginning at a 1/2" iron pin set for corner at the Southeast corner of the E 1/2 of the E 1/2 of the NW 1/4 of Section 25, Township 15 South, Range 28 West, Miller County, Arkansas, same being the Northeast corner of Lot No. 9 in Block 6 of Wooten's 2nd Subdivision, Miller County, Arkansas;

THENCE: S 01°13'37" E, 192.58 feet with the East line of said Lot No. 9 to a 1/2" iron pin set for corner at the Southeast corner of same, said corner being located on the North right-of-way line of South Valley Drive;

THENCE: N 86°23'16" W, 823.80 feet with the North right-of-way line of South Valley Drive to a 1/2" iron pin set for corner at the beginning of a curve to the right having a radius of 529.90 feet;

THENCE: Northwestly with said curve and right-of-way line for a distance of 71.99 feet (chord is N 82°29'45" W, 71.93 feet), through a central angle of 07°47'02" to a 1/2" iron pin set for corner at the end of said curve;

THENCE: N 78°36'14" W, 179.16 feet with the North right-of-way line of South Valley Drive to a 1/2" iron pin set for corner at the beginning of a curve to the right having a radius of 25.00 feet;

THENCE: Northwestly with said curve and right-of-way line for a distance of 36.10 feet (chord is N 37°13'56" W, 33.05 feet), through a central angle of 82°44'37" to a 1/2" iron pin set for corner at the Southwest corner of the E 1/2 of the E 1/2 of the NW 1/4 of Section 25, Township 15 South, Range 28 West, Miller County, Arkansas;

THENCE: N 04°08'23" E, 119.07 feet with the East right-of-way line of Summit Drive and the West line of said Lot No. 1 to a 1/2" iron pin found for corner at the Northwest corner of said Lot No. 1;

THENCE: S 81°08'52" E, 270.83 feet to a 1-1/4" iron pipe found for corner;

THENCE: S 89°28'37" E, 145.00 feet to a 1/2" iron pin set for corner at the Southwest corner of the E 1/2 of the E 1/2 of the NW 1/4 of Section 25, Township 15 South, Range 28 West, Miller County, Arkansas;

THENCE: N 01°08'27" W, 1712.86 feet with the West line of the E 1/2 of the E 1/2 of the NW 1/4 of said Section 25 to a 1-1/4" iron pipe found on line;

THENCE: N 00°55'24" W, 530.19 feet with the West line of the E 1/2 of the E 1/2 of the NW 1/4 of said Section 25 to a 1/2" iron pin set for corner on the South right-of-way line of East 9th Street (U. S. Highway No. 82);

THENCE: N 81°05'25" E, 17.41 feet with the South right-of-way line of East 9th Street to a right-of-way marker found for corner;

THENCE: S 89°41'21" E, 394.04 feet with the South right-of-way line of East 9th Street to an angle point in said line;

THENCE: N 87°55'50" E, 131.23 feet with the South right-of-way line of East 9th Street to an angle point in said line;

THENCE: N 85°32'30" E, 119.26 feet with the South right-of-way line of East 9th Street to a 1/2" iron pin set for corner on the East line of the E 1/2 of the E 1/2 of Section 25, Township 15 South, Range 28 West, Miller County, Arkansas;

THENCE: S 01°08'17" E, 2604.90 feet with the East line of the E 1/2 of the E 1/2 of the NW 1/4 of said Section 25 to the Point of Beginning and containing 43.546 acres of land, more or less.

**CERTIFICATE OF SURVEYOR**

I, Johnny E. Plunk, Jr., do hereby certify that I am a Professional Land Surveyor in the State of Arkansas, and that the map or plat hereon is a true representation of the above described property as determined by survey and that I have surveyed and marked on the ground the boundaries and corners shown on said plat of the Five (5) lots of HENNESSY SUBDIVISION, a part of Section 25, Township 15 South, Range 28 West, Miller County, Arkansas.



**OFFER OF IRREVOCABLE DEDICATION:**

KNOWN ALL PERSONS BY THESE PRESENT:

**CERTIFICATE OF DEDICATION BY OWNER**

That we, Marsha Lynn Dailey, Cody Dailey, Michele Kegley, and Melinda Alexander, the owners of the property described hereon, do hereby plat and layout the same into a subdivision of the City of Texarkana, Miller County, Arkansas, said Subdivision to be known, designated and hereafter referred to by its subdivision name, HENNESSY SUBDIVISION, legally described as a part of Section 25, Township 15 South, Range 28 West, Miller County, Arkansas. The same being composed of Five (5) lots, as more particularly set out in detail on the survey and plat of which this dedication is a part.

This plat designates certain public improvements consisting of street rights-of-way as shown on said plat: East 9th Street, Summit Drive, South Valley Drive, and Woodhill Road, said rights-of-way being as shown on plat. We further dedicate to the use of the present and future owners of said lots for obtaining utilities (including without being limited to utilities and utility companies providing said premises with water, sewage service, telephone service, electricity and gas) serving said premises. The easements being located on said plat and designated as utility and/or drainage easements to be dedicated to the City of Texarkana, Miller County, Arkansas, free and clear of all encumbrances and liens, pursuant to the regulations and requirements of the City of Texarkana, Miller County, Arkansas Subdivision Requirements.

This offer of dedication is irrevocable and can be formally accepted by the City of Texarkana, Arkansas at any time. This offer shall run with the land and shall be binding on all assignees, successors or heirs of the developers.

*Marsha Lynn Dailey*  
Marsha Lynn Dailey

**NOTARY ACKNOWLEDGMENT**

State of Arkansas  
County of Miller

On this 23rd day of March, 2021, before me, the undersigned, a Notary Public in and for said County and State, on this day personally appeared Marsha Lynn Dailey, known to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he does hereby execute the same for the purpose and consideration hereon expressed.

In TESTIMONY WHEREOF, I have hereunto set my hand and official seal this 23rd day of March, 2021.

*Shannon Foster*  
Shannon Foster  
Notary Public  
My Commission Expires: 8/13/30



*Cody Dailey*  
Cody Dailey

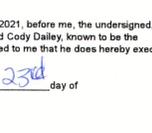
**NOTARY ACKNOWLEDGMENT**

State of Arkansas  
County of Miller

On this 23rd day of March, 2021, before me, the undersigned, a Notary Public in and for said County and State, on this day personally appeared Cody Dailey, known to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he does hereby execute the same for the purpose and consideration hereon expressed.

In TESTIMONY WHEREOF, I have hereunto set my hand and official seal this 23rd day of March, 2021.

*Shannon Foster*  
Shannon Foster  
Notary Public  
My Commission Expires: 8/13/30



*Michele Kegley*  
Michele Kegley

**NOTARY ACKNOWLEDGMENT**

State of Arkansas  
County of Miller

On this 22nd day of March, 2021, before me, the undersigned, a Notary Public in and for said County and State, on this day personally appeared Michele Kegley, known to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he does hereby execute the same for the purpose and consideration hereon expressed.

In TESTIMONY WHEREOF, I have hereunto set my hand and official seal this 22nd day of March, 2021.

*Shannon Foster*  
Shannon Foster  
Notary Public  
My Commission Expires: 8/13/21



*Melinda Alexander*  
Melinda Alexander

**NOTARY ACKNOWLEDGMENT**

State of Arkansas  
County of Miller

On this 22nd day of March, 2021, before me, the undersigned, a Notary Public in and for said County and State, on this day personally appeared Melinda Alexander, known to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he does hereby execute the same for the purpose and consideration hereon expressed.

In TESTIMONY WHEREOF, I have hereunto set my hand and official seal this 22nd day of March, 2021.

*Shannon Foster*  
Shannon Foster  
Notary Public  
My Commission Expires: 8/13/30



**CERTIFICATE OF APPROVAL BY PLANNING ADMINISTRATOR**

I, the undersigned, do hereby certify that the plat of HENNESSY SUBDIVISION, together with the Owner's Certificate of Irrevocable Dedication and the Surveyor's Certificate of same, were presented to the Planning Commission of the City of Texarkana, Miller County, Arkansas, for its approval, that said plat, Owner's Certificate of Irrevocable Dedication and the Surveyor's Certificate, being found to conform to the requirements in all respects and are in all things approved on the day of March, 2021.

*J. J. Jones*  
J. J. Jones  
PLANNING ADMINISTRATOR

The certificate of approval by the Planning Administrator shall expire 121 days after approval unless approved plat is recorded prior to such.

2021R001898  
MARY PANKEY  
MILLER COUNTY CIRCUIT CLERK  
TEXARKANA, AR  
RECORDED ON  
03/25/2021 08:15:34 AM  
RECORDING FEE 16.50  
PAGES: 1

<b>HENNESSY SUBDIVISION</b>	
PART OF THE NW 1/4 SECTION 25, T. 15 SOUTH, RANGE 28 WEST & PART OF WOOTEN'S 2ND ADDITION, MILLER COUNTY, ARKANSAS	
<b>PLUNK LAND SURVEYING</b> 3605 JEFFERSON AVENUE TEXARKANA, ARKANSAS 71854 PHONE (870) 779-8002 TX FIRN NO. 10073900 - AR COA NO. 1711	<b>SUBDIVISION PLAT</b> MILLER COUNTY, ARKANSAS
SCALE: 1"=100'	DATE: 3/19/2021
DRAWN BY: JEP	JOB NO. 201224-PI



## CITY OF TEXARKANA, AR BOARD OF DIRECTORS

---

<b>AGENDA TITLE:</b>	Adopt an Ordinance to rezone a tract of land located at 5706 Four States Parkway from R-1 Rural residential to O-1 Office quiet commercial. (Asbille) (Ward 6) (PWD-Planning) City Planner Mary Beck  <i>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.</i>
<b>AGENDA DATE:</b>	04/04/2022
<b>ITEM TYPE:</b>	Ordinance <input checked="" type="checkbox"/> Resolution <input type="checkbox"/> Other <input type="checkbox"/> : _____
<b>DEPARTMENT:</b>	Public Works/Planning
<b>PREPARED BY:</b>	Mary Beck
<b>REQUEST:</b>	Adopt an ordinance to rezone a tract of land from R-1 Rural residential to O-1 Office quiet commercial.
<b>EMERGENCY CLAUSE:</b>	YES
<b>SUMMARY:</b>	The Planning Commission recommends rezoning Miller County Parcel #00187800 in order to develop a senior living retirement cluster.
<b>EXPENSE REQUIRED:</b>	0
<b>AMOUNT BUDGETED:</b>	0
<b>APPROPRIATION REQUIRED:</b>	0
<b>RECOMMENDED ACTION:</b>	The Planning Commission recommends the restrictive O-1 Office Quiet commercial as an appropriate zone at this location.
<b>EXHIBITS:</b>	Ordinance, Memo to City Manager, deed, location map.

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE AMENDING ORDINANCE NO. K-286, AS AMENDED; FOR DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES**

**WHEREAS**, an application to amend the Land Use Plan was filed with the Planning Commission of the City of Texarkana, Arkansas, requesting to rezone the following tract of land from R-1 Rural Residential to O-1 Office quiet commercial:

A TRACT OF LAND LYING IN PART OF THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 4, TOWNSHIP 15 SOUTH, RANGE 28 WEST, SAID BEING MORE PARTICULARLY DESCRIBED BY AN ON THE GROUND SURVEY AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 4; THENCE S 87° 33' 04" E FOR A DISTANCE OF 66.67' FEET TO AN EXISTING CAPPED ROD, SAID POINT BEING ON THE EAST RIGHT OF WAY LINE OF ARKANSAS STATE HIGHWAY LOOP #245, SAID POINT ALSO BEING THE POINT OF BEGINNING; THENCE LEAVING SAID RIGHT OF WAY, RUN S 87° 42' 02" E FOR A DISTANCE OF 596.41' FEET TO A SET 80D NAIL AT THE BASE OF AN EXISTING 1" GALVANIZED PIPE AND EXISTING 3/4" CRIMPED PIPE; THENCE S 2° 13' 08" W FOR A DISTANCE OF 654.78' FEET TO A SET 5/8" CAPPED ROD; THENCE N 87° 45' 34" W FOR A DISTANCE OF 609.67' FEET TO A SET 5/8" CAPPED ROD ON THE EAST RIGHT OF WAY LINE OF ARKANSAS STATE HIGHWAY LOOP #245, THENCE ALONG SAID RIGHT OF WAY LINE, RUN N 3° 22' 41" FOR A DISTANCE OF 655.52' FEET BACK TO THE POINT OF BEGINNING, SAID HAVING AN AREA OF 395043.943 SQUARE FEET, (9.069) ACRES, MORE OR LESS, ALL LYING IN MILLER COUNTY, ARKANSAS.

**WHEREAS**, the Planning Commission, after public hearing, has approved said application and recommended that the Board of Directors of the City of Texarkana, Arkansas, adopt the ordinance affecting said rezoning request; and

**NOW, THEREFORE, BE IT ORDAINED** by the Board of Directors of the City of Texarkana, Arkansas; and

**Section 1.** Ordinance No K-286, as amended, should be amended to rezone the above described 9.069 acres property tract as more specifically described as above in the City of Texarkana, Arkansas, R-1 Rural Residential to O-1 Office quiet commercial.

**Section 2.** This Ordinance being necessary for the preservation of the public peace, health and safety, an emergency is therefore declared to exist; and this Ordinance shall be in full force and effect from and after its passage and approval.

**PASSED AND APPROVED** this 4<sup>th</sup> day of April, 2022.

---

Allen L. Brown, Mayor

**ATTEST:**

---

Heather Soyars, City Clerk

**APPROVED:**

---

George Matteson, City Attorney



**CITY OF TEXARKANA ARKANSAS**  
**DEPARTMENT OF PUBLIC WORKS**  
216 WALNUT ST 71854-6024  
P O BOX 2711 TEXARKANA ARKANSAS 75504-2711  
PHONE (870) 779-4971 – FAX (870) 773-2395

## MEMORANDUM

**TO:** Jay Ellington, City Manager  
**FROM:** Mary L. Beck, City Planner  
**DATE:** March 14, 2022  
**SUBJECT:** Board of Directors Agenda item for April 4, 2022 – **Rezoning recommendation** – Request by Artex Properties, Agent Tony Asbille, 1903 E. 50<sup>th</sup> Street, Texarkana, AR 71854, to rezone property from R-1 Rural residential to O-1 Office quiet commercial in order to develop retirement housing..

### LEGAL DESCRIPTION:

The land is legally described as PT of the NE1/4 SW1/4, Section 4, Township 15S, Range 28W and contains 9.069 acres more or less. The property is located at 5706 Four States Fair Parkway

### REASON FOR REQUEST:

To develop a retirement housing complex as the current zoning only allows single family housing on individual lots.

### EXISTING LAND USES:

Site: Vacant  
North: Single-family dwelling under development  
East: Vacant  
South: R.V. & boat storage facility under development  
West: A church and related sports fields

### EXISTING ZONING:

Site: R-1 Rural residential  
North: R-1 Rural residential  
South: C-3 Open display commercial  
East: C-3 Open display commercial  
West: C-3 Open display commercial

### COMPATIBILITY WITH EXISTING ZONING:

The long-term comprehensive plan of 1988 shows this area with a recommendation for commercial property with medium density residential to the north. The zoning requested fits with that anticipated zoning development. Office quiet zoning works well with other business zones such as the surrounding C-3 zoning and is also compatible in residential neighborhoods due to its restriction on land uses that limit traffic and noise to adjacent properties such as the residential development to the north and the church on the east side of Four States Fair Parkway. If the intended senior living project is not developed, the O-1 zoning would serve as a buffer to the C-3 zoning land use south of this property. No conflicts are anticipated.

#### **UTILITIES & TRANSPORTATION NETWORK:**

Local :           None

Collector:       None

Arterial:        Four States Fair Parkway

Water:           6" located on the west side of Four States Fair Parkway

Sewer:           Sewer would need to be extended to this location or an approved septic system that meets the approval of Miller County Health department would be necessary

Fire hydrant:    Located about 215' from the property on the west side of Four States Fair Parkway.

#### **CONFORMANCE WITH APPLICABLE ORDINANCES AND/OR STATE STATUTES:**

The *Arkansas Code of 1987 Annotated (14-56-422B)* requires the following – “All plans, recommended ordinances, and regulations shall be adopted through the following procedure for adoption of plans and regulations:

(A) The Planning Commission shall hold a public hearing on the plans, ordinances, and regulations proposed under this subchapter.

(B) Notice of public hearing shall be published in a newspaper of general circulation in the city, at least (1) time fifteen days prior to the hearing.

(2) Following the public hearing, proposed plans may be adopted, and proposed ordinance and regulations may be recommended as presented, or in modified form, by a majority vote of the entire commission.

(3) Following its adoption of plans and recommendation of ordinances and regulations, the commission shall certify adopted plans of recommended ordinances and regulations to the legislative body of the city for its adoption.

(4) The legislative body of the city may return the plans and recommended ordinances and regulations to the commission for further study or rectification, or, by a majority vote of the entire membership, may, by ordinance or resolution, adopt the plans and recommended ordinances or regulations submitted by the commission. However, noting in this subchapter shall be construed to limit the city board's authority to recall the ordinances and resolutions by a vote of a majority of the council.

(5) Following adoption by the legislative body, the adopted plans, ordinances, and regulations shall be filed in the office of the City Clerk. The City Clerk shall file, with the county recorder of the counties in which territorial jurisdiction is being exercised such plans, ordinances, and regulations as pertain to the territory beyond the corporate limits.

The required notice was published in the Sunday, February 20, 2022 edition of the Texarkana Gazette. Letters were mailed to five (5) adjacent property owners within 300' as required.

**OPPOSITION:**

None at this time. An original request for C-3 Open display commercial zoning was opposed at the meeting by Donnie Sealy and Ron Dawson out of concerns for the residential development immediately to the north of this property and a compromise of O-1 Office quiet zoning was found to be within an allowed land use using the concept of a retirement community for the senior housing as the most appropriate land use offered in the municipal code. The O-1 zoning is unopposed.

**PLANNING COMMISSION CERTIFICATION:**

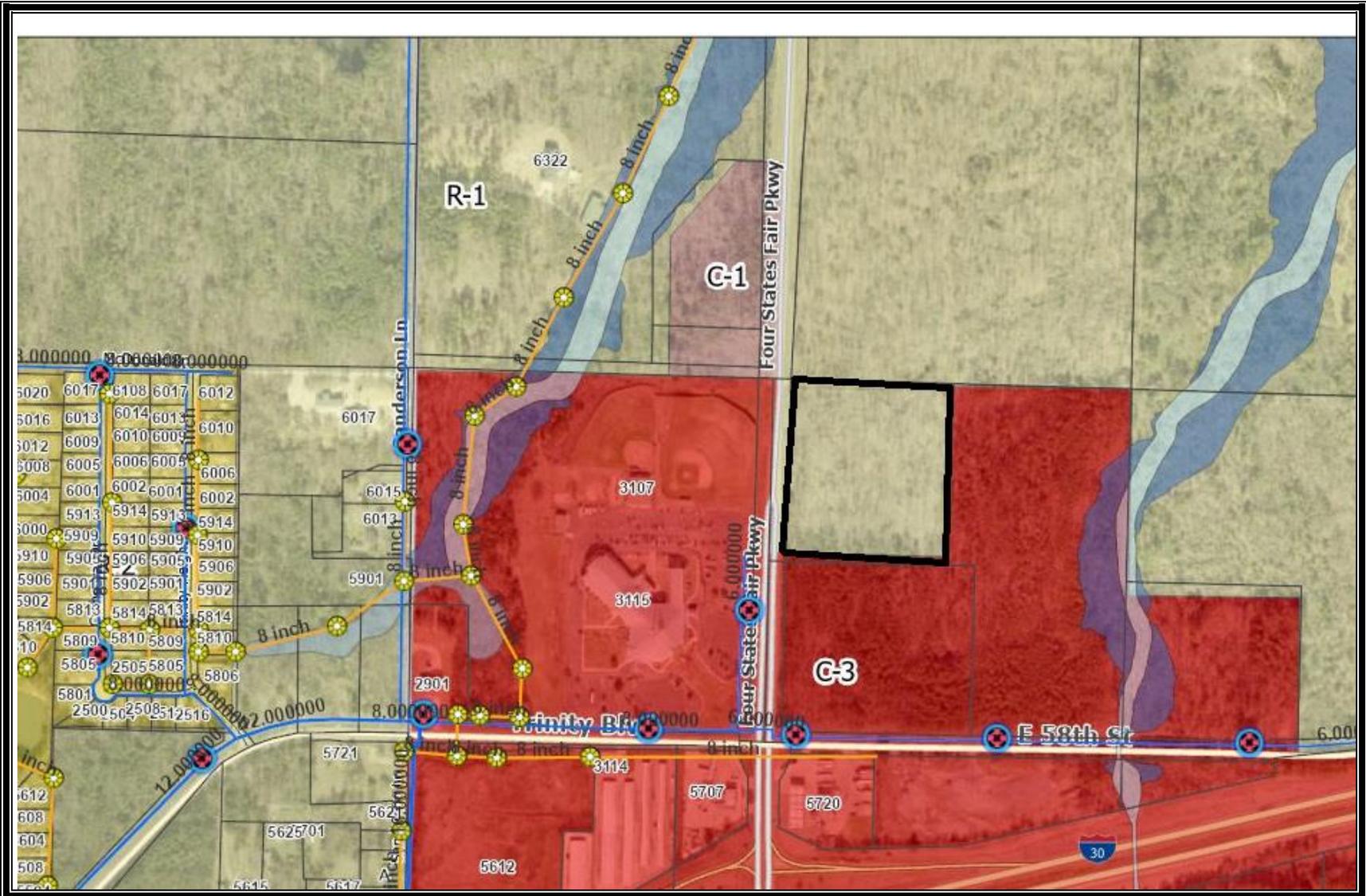
The Planning Commission met on March 8, 2022 and on a motion by Mr. Anderson Neal, seconded by Ms. Bertha Dunn, a roll call vote carried the motion for approval of the zoning recommendation 5-0 with no opposition:

Adger Smith	Yes
Anderson Neal	Yes
Bertha Dunn	Yes
Jason Dupree	Yes
Randall Hickerson	Absent
Clyde "Boots" Thomas	Yes
Vacancy	

**ACTION REQUESTED BY CITY BOARD OF DIRECTORS:**

To adopt an ordinance to change zoning from R-1 Rural residential to O-1 Office Quiet.

The *Arkansas Code of 1987 Annotated* requires every ordinance to be read three times before adoption. These three readings may all occur at the same meeting or at the second and third subsequent meetings after the first reading of the ordinance.



## Planning Commission review

Prepared by:  
 Planning Division - Public Works Department  
 City of Texarkana, Arkansas

**Prepared By:**  
Clayton & Ramirez Law, P.L.L.C.  
8920 Business Park Drive, Suite 175  
Austin, Texas 78759

**After Recording Return To:**  
Southwest Title Company  
4231 Jefferson Avenue  
Texarkana, AR 71854  
File No. 22-650453-ST

Space Above This Line for Recorder's Use

**WARRANTY DEED**  
**MARRIED PERSONS**  
**(WITH RELINQUISHMENT OF DOWER AND CURTESY)**

KNOW ALL MEN BY THESE PRESENTS:

That **DEBORAH L. FERGUSON JOINED BY HUSBAND, BRUCE FERGUSON** to release **his curtesy and homestead interests in and to the property herein conveyed**, hereafter called Grantor(s), for and in consideration of the sum of TEN Dollars (\$10.00) and other good and valuable consideration to us in hand paid by **ARTEX RENTALS, LLC**, hereafter called Grantee(s), receipt of which is hereby acknowledged, do hereby grant, bargain, sell and convey unto Grantee(s), and unto his/her/their/its heirs, successors and/or assigns forever, the following lands lying in the County of Miller and State of Arkansas:

**SEE EXHIBIT "A" LEGAL DESCRIPTION ATTACHED HERETO AND MADE A PART HEREOF.**

**TO HAVE AND TO HOLD** the same unto Grantee(s) and unto his/her/their/its heirs, successors and/or assigns forever, with all appurtenances thereunto belonging.

**AND GRANTOR(S)** hereby covenant with Grantee(s) and unto his/her/their/its heirs, successors and/or assigns forever, that they will forever warrant and defend the title to said lands against all lawful claims whatever, subject to existing easements, building lines, restrictions and assessments of record, if any.

**AND we, DEBORAH L. FERGUSON AND HUSBAND, BRUCE FERGUSON**, for and in consideration recited herein, do hereby release and relinquish unto the said **GRANTEE(S)** and unto his/her/their/its heirs, successors and/or assigns, all our rights of curtesy and dower and homestead in and to the said lands.

WITNESS our hand(s) and seal on this 27<sup>th</sup> day of January, 2022.

Deborah Ferguson  
DEBORAH L. FERGUSON

Bruce Ferguson  
BRUCE FERGUSON

I hereby certify under penalty of false swearing that documentary stamps or a documentary symbol in the legally correct amount has been placed on this instrument. Exempt or no consideration paid if none shown.

GRANTEE(S) OR AGENT: Pat Oker Agent

GRANTEE'S ADDRESS: 1901 East 50th St.  
Texarkana, AR 71854

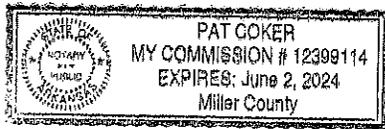
**ACKNOWLEDGMENT**

STATE OF Arkansas  
COUNTY OF Miller

**BE IT REMEMBERED** that on this day came before me, the undersigned, a Notary Public within and for the County and State aforesaid, duly commissioned and acting, DEBORAH L. FERGUSON AND HUSBAND, BRUCE FERGUSON, to me well known as the GRANTOR(S) in the foregoing Deed, and stated that they had executed the same for the consideration and purposes therein mentioned and set forth.

WITNESS my hand and seal as such Notary Public this 27<sup>th</sup> day of January, 2022.

Pat Oker  
Notary Public



## EXHIBIT "A"

A TRACT OF LAND LYING IN PART OF THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 4, TOWNSHIP 15 SOUTH, RANGE 28 WEST, SAID BEING MORE PARTICULARLY DESCRIBED BY AN ON THE GROUND SURVEY AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 4; THENCE S 87°33'04" E FOR A DISTANCE OF 66.67' FEET TO AN EXISTING CAPPED ROD, SAID POINT BEING ON THE EAST RIGHT OF WAY LINE OF ARKANSAS STATE HIGHWAY LOOP #245, SAID POINT ALSO BEING THE POINT OF BEGINNING; THENCE LEAVING SAID RIGHT OF WAY, RUN S 87°42'02" E FOR A DISTANCE OF 596.41' FEET TO A SET 80D NAIL AT THE BASE OF AN EXISTING 1" GALVANIZED PIPE AND AN EXISTING 3/4" CRIMPED PIPE; THENCE S 2°13'08" W FOR A DISTANCE OF 654.78' FEET TO A SET 5/8" CAPPED ROD; THENCE N 87°45'34" W FOR A DISTANCE OF 609.67' FEET TO A SET 5/8" CAPPED ROD ON THE EAST RIGHT OF WAY LINE OF ARKANSAS STATE HIGHWAY LOOP #245, THENCE ALONG SAID RIGHT OF WAY LINE, RUN N 3°22'41" E FOR A DISTANCE OF 655.52' FEET BACK TO THE POINT OF BEGINNING, SAID HAVING AN AREA OF 395043.943 SQUARE FEET, (9.069) ACRES, MORE OR LESS, ALL LYING IN MILLER COUNTY, ARKANSAS.



# CITY OF TEXARKANA, AR

## BOARD OF DIRECTORS

---

**AGENDA TITLE:** Adopt an Ordinance granting the request for prerequisite municipal approval of a private club application on behalf of Hector Leal for the Cattlemen’s Club, Inc., at 4018 N. Stateline Avenue. (CCD)

*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)*

**AGENDA DATE:** April 4, 2022

**ITEM TYPE:** Ordinance  Resolution  Other : \_\_\_\_\_

**DEPARTMENT:** City Clerk

**PREPARED BY:** Heather Soyars

---

**REQUEST:** Prerequisite approval to continue the application process through the State.

**EMERGENCY CLAUSE:** Yes

---

**SUMMARY:** Applicant is requesting prerequisite approval to continue the application process through the State.

Pursuant to ACT 112 of 2017, all new private club applications must be submitted with an ordinance from the governing body of the county or municipality in which the private club wishes to be located, approving the application.

---

**EXPENSE REQUIRED:** N/A

---

**AMOUNT BUDGETED:** N/A

---

**APPROPRIATION REQUIRED:** N/A

---

**RECOMMENDED ACTION:** City Manager and staff recommend approval.

---

**EXHIBITS:** Ordinance

# ORDINANCE NO. \_\_\_\_\_

## AN ORDINANCE GRANTING THE REQUEST FOR PREREQUISITE MUNICIPAL APPROVAL OF A PRIVATE CLUB APPLICATION BY THE CATTLEMEN’S CLUB, INC.; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES

WHEREAS, pursuant to the provisions of Ark. Code Ann. §3-9-222 and Rules and Regulations adopted by the Arkansas Alcoholic Beverage Control Division (the “ABC”) in accordance therewith requiring prior municipal approval by ordinance as a prerequisite to submittal of certain applications to the ABC or its Director relating to private clubs, request has been made that this Board of Directors of the City of Texarkana, Arkansas, approve the application of applicant Hector Leal on behalf of The Cattlemen’s Club, Inc.; and

NOW, THEREFORE, BE IT ORDAINED by the Board of Directors of the City of Texarkana, Arkansas, that:

**Section 1.** The request of Hector Leal on behalf of The Cattlemen’s Club, Inc., for prerequisite municipal approval of an application for a private club at 4018 N. State Line Avenue, Texarkana, Arkansas, 71854 as required by Ark. Code Ann. §3-9-222 and the Rules and Regulations of the ABC is hereby granted.

**Section 2.** Nothing contained herein shall be deemed to be a municipal endorsement of any business operation, nor a waiver of the application of any City ordinance or other local, state, or federal law, rule, or regulation, now or hereafter adopted.

**Section 3.** This action being necessary for the preservation of the public peace, health and safety, and a separate and distinct vote having been taken on this emergency clause, an emergency is therefore declared to exist, and this ordinance shall be in full force and effect from and after its passage and approval.

**PASSED AND APPROVED** this 4<sup>th</sup> day of April, 2022.

---

Allen L. Brown, Mayor

**ATTEST:**

---

Heather Soyars, City Clerk

**APPROVED:**

---

George Matteson, City Attorney