



## Regular Meeting of the Board of Directors

City of Texarkana, Arkansas

216 Walnut Street

**Agenda - Monday, October 16, 2023 - 6:00 PM**

Call to Order

Roll Call

Invocation given by Director Jeff Hart

Pledge of Allegiance led by 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.*

*Please fill out a Citizen Communication Card with your name and contact information for the City Clerk's records.*

### **PROCLAMATION(S)**

1. Proclamation declaring October 28, 2023, as National First Responder's Day.
2. Proclamation declaring the month of November 2023, as Business Appreciation Month. (BOD) (This proclamation added at the request of Director Harris)

### **CONSENT**

3. Approval of the minutes of the regular meeting October 2, 2023. (CCD) City Clerk Heather Soyars
4. Adopt a Resolution approving the purchase of additional system controls for the jail. (BI-STATE) Building Manager Kristine Barron

### **ACTION ITEMS**

5. Consider the following action concerning the clean-up of nineteen (19) nuisance properties:  
Conduct a Public Hearing to receive comments regarding certification of certain delinquent taxes.  
Adopt a Resolution certifying amount to be put on tax books as delinquent and collected accordingly. (PWD) Public Works Director Tyler Richards

6. Adopt a Resolution authorizing the City Manager to enter into a Memorandum of Understanding with the City of Texarkana, Texas, for the purpose of pursuing a \$500,000.00 Community Wide Brownfields Assessment Grant. (PWD) Public Works Director Tyler Richards

#### **NON-ACTION ITEMS**

7. Public Hearing to consider the following action regarding a request to abandon certain portions of undeveloped land east of Manor Way Road, west of Summit Drive and Pine Hill Circle, north of Tennessee Road, and south of Fortune Lane located in Ward 1.

Adopt an Ordinance to approve the abandonment of certain portions of dedicated undeveloped land east of Manor Way Road, west of Summit Drive and Pine Hill Circle, north of Tennessee Road, and south of Fortune Lane located in Ward 1. (Fricks) (PWD-Planning) City Planner Jamie Finley

#### **BOARD OF DIRECTORS' COMMENTARY**

#### **CITY MANAGER UPDATE**

**NEXT MEETING DATE: Monday, November 6, 2023**

#### **ADJOURN**

#### **2023 City Calendar**

Gateway Farmers Market - Open Tuesdays, Thursdays, Saturdays - 7AM- Noon

Halloween Event - Saturday, October 28, 2023

Priscilla Block Concert - Friday, November 3, 2023

Universal Vibe - Saturday, November 4 - 10AM - 10PM

Gateway Farmers Market Holiday Market - Saturday, November 18 - 10AM - 2PM

Founders' Week Celebration – December 4 – 10

#### **Texarkana Rec Center Calendar**

Ageless Grace - Mondays – 2PM – 3PM

Gym Open - Mondays, Wednesdays & Fridays – 8AM - 7PM & Saturdays - 8AM – Noon

Dance Fitness - Tuesdays - 6PM & Saturdays - 11AM



**CITY OF TEXARKANA, AR**  
**BOARD OF DIRECTORS**

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<b>AGENDA TITLE:</b>	Proclamation declaring October 28, 2023 as National First Responder's Day.
<b>AGENDA DATE:</b>	October 16, 2023
<b>ITEM TYPE:</b>	Ordinance <input type="checkbox"/> Resolution <input type="checkbox"/> Other <input checked="" type="checkbox"/> : _____
<b>DEPARTMENT:</b>	City Clerk
<b>PREPARED BY:</b>	Heather Soyars
<b>REQUEST:</b>	N/A
<b>EMERGENCY CLAUSE:</b>	N/A
<b>SUMMARY:</b>	N/A
<b>EXPENSE REQUIRED:</b>	N/A
<b>AMOUNT BUDGETED:</b>	N/A
<b>APPROPRIATION REQUIRED:</b>	N/A
<b>RECOMMENDED ACTION:</b>	N/A
<b>EXHIBITS:</b>	Proclamation



# CITY OF TEXARKANA, AR

## BOARD OF DIRECTORS

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<b>AGENDA TITLE:</b>	Proclamation declaring the month of November 2023, as Business Appreciation Month. (BOD) (This proclamation added at the request of Director Harris)
<b>AGENDA DATE:</b>	October 16, 2023
<b>ITEM TYPE:</b>	Ordinance <input type="checkbox"/> Resolution <input type="checkbox"/> Other <input checked="" type="checkbox"/> : _____
<b>DEPARTMENT:</b>	City Clerk
<b>PREPARED BY:</b>	Heather Soyars
<b>REQUEST:</b>	N/A
<b>EMERGENCY CLAUSE:</b>	N/A
<b>SUMMARY:</b>	N/A
<b>EXPENSE REQUIRED:</b>	N/A
<b>AMOUNT BUDGETED:</b>	N/A
<b>APPROPRIATION REQUIRED:</b>	N/A
<b>RECOMMENDED ACTION:</b>	N/A
<b>EXHIBITS:</b>	Proclamation



# CITY OF TEXARKANA, AR

## BOARD OF DIRECTORS

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<b>AGENDA TITLE:</b>	Approval of the minutes of the regular meeting October 2, 2023. (CCD) City Clerk Heather Soyars
<b>AGENDA DATE:</b>	October 16, 2023
<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>EXHIBITS:</b>	Meeting minutes.



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

City of Texarkana, Arkansas

216 Walnut Street

**Minutes - Monday, October 02, 2023 - 6:00 PM**

Assistant Mayor Terry Roberts called the meeting to order at 6:00 PM.

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

ALSO, PRESENT: City Manager Robert Thompson, City Attorney Joshua Potter, City Clerk Heather Soyars, and Deputy City Clerk Jenny Narens.

ABSENT: Mayor Allen Brown.

Invocation and Pledge of Allegiance given by Director Danny Jewell.

### **CITIZEN COMMUNICATION**

Mary McQueen, 708 Pinehurst Street, thanked the Public Works Department for completing the cleanup of the vacant property next to her. She also requested a few outdated signs be removed around Marietta and Pinehurst and another one on Marietta and Arkansas Street regarding school zones.

James May, 1716 Pearl Street, asked for help with the properties around him with no running water and too many animals.

### **PRESENTATION(S)**

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

Casey Tillett	TAFD	5 Years
Steven Durham	TAFD	15 Years
Michael Richardson	TAFD	25 Years
Dylan McCrary	TAPD	5 Years
Tom Briggs	TAPD	20 Years

2. Proclamation declaring October 8th – 14th, 2023, as Black Restaurant Week. (BOD) (This proclamation added at the request of Director Harris)

## CONSENT

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

3. Approval of the minutes of the regular meeting September 18, 2023. (CCD) City Clerk Heather Soyars
4. Resolution No. 2023-86 appointed City Manager Robert Thompson to the Texarkana, Arkansas Public Employee Retirement System (TAPERS). (CCD) City Clerk Heather Soyars
5. Resolution No. 2023-87 set the date for a public hearing concerning the abandonment of an undeveloped right-of-way of certain portions of land east of Manor Way Road, west of Summit Drive and Pine Hill Circle, north of Tennessee Road, and south of Fortune Lane. Ward 1 (Fricks) (PWD-Planning) City Planner Jamie Finley
6. Resolution No. 2023-88 authorized the City Manager to enter into a contract with Kampco, Inc., for the Delaware Street Replace/Upsize Water Main Project. (TWU) Executive Director Gary Smith
7. Resolution No. 2023-89 authorized the City Manager to purchase an F150 pick-up truck from McLarty Ford. (PWD) Public Works Director Tyler Richards
8. Resolution No. 2023-90 approved the reimbursement of \$33,000.00 to the Texarkana Regional Airport from American Rescue Act Funds. (FIN) Finance Director TyRhonda Henderson

## ACTION ITEMS

**No Items**

## NON-ACTION ITEMS

9. Adopt an Ordinance amending the *City of Texarkana, Arkansas, Code of Ordinances* Chapter 9-7, for the sale and discharge of fireworks for any person under the age of 18 years old. (TAPD) Police Chief Michael Kramm

After a discussion, no action was taken on this item. The Board of Directors recommended a meeting with the City Manager, the Police Chief, and the owner of Stateline Fireworks to reconstruct the proposed ordinance.

## BOARD OF DIRECTORS' COMMENTARY

Director Hollibush mentioned Tuesday, October 3, 2023, would be National Night Out.

**NEXT MEETING DATE: Monday, October 16, 2023**

## EXECUTIVE SESSION

The Board of Directors entered Executive Session at 6:58 PM.

Assistant Mayor Roberts reconvened the meeting at 7:05 PM.

10. Resolution No. 2023-91 appointed three (3) members of the Board of Directors to the Ark-Tex Council of Governments (ATCOG). (CCD) City Clerk Heather Soyars

Motion to appoint Assistant Mayor Roberts, Director Harris, and Director Hart to the Ark-Tex Council of Governments, with term date of 06/01/2023--2025, was made by Director Brewer, Seconded by Director Hart.

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

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

The motion carried 6-0 and the Assistant Mayor declared the resolution adopted.

11. Resolution No. 2023-92 made appointments to the Advertising and Promotion Commission (A&P). (CCD) City Clerk Heather Soyars

Motion to appoint Dr. Ellen Holmes with term date of 03/21/2022--2026, Randy Henry and Allison Wright with term date of 03/21/2023--2027, to the Advertising and Promotion Commission made by Director Hollibush, Seconded by Director Hart.

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

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

The motion carried 6-0 and the Assistant Mayor declared the resolution adopted.

## **ADJOURN**

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

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

The motion carried 6-0 and the meeting adjourned at 7:12 PM.

**APPROVED** this the 16<sup>th</sup> day of October 2023.

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Allen L. Brown, Mayor

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Heather Soyars, City Clerk





## CITY OF TEXARKANA, AR BOARD OF DIRECTORS

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<b>AGENDA TITLE:</b>	Adopt a Resolution approving the purchase of additional system controls for the jail. (BI-STATE) Building Manager Kristine Barron
<b>AGENDA DATE:</b>	October 16, 2023
<b>ITEM TYPE:</b>	Ordinance <input type="checkbox"/> Resolution <input checked="" type="checkbox"/> Other <input type="checkbox"/> : _____
<b>DEPARTMENT:</b>	Bi-State Maintenance
<b>PREPARED BY:</b>	Kristine Barron

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<b>REQUEST:</b>	Board approval for additional controls for the jail. These controls were not installed during the original installation. The IAC has approved \$30,000 towards this project
<b>EMERGENCY CLAUSE:</b>	N/A

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<b>SUMMARY:</b>	This is to replace the current outdated control system for the Bi State Jail for the second and final half of the jail. This will complete the entire jail for electronic doors, speakers, and intercoms.  Approved as a sole source.
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<b>EXPENSE REQUIRED:</b>	\$59,200.00
<b>AMOUNT BUDGETED:</b>	\$60,000.00
<b>APPROPRIATION REQUIRED:</b>	0.00

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<b>RECOMMENDED ACTION:</b>	Adoption of the resolution is requested.
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<b>EXHIBITS:</b>	Resolution and quote.
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**RESOLUTION NO. \_\_\_\_\_**

**WHEREAS**, the current control system for the Bi-State Jail which controls the electronic doors, speakers, and intercoms is outdated and in need of updating; and

**WHEREAS**, Montgomery Technology Systems, LLC., (MTS) is the sole source provider of a replacement system that will interface with the current system at the Bi-State Jail; and

**WHEREAS**, the total cost for this request is \$59,200.00 and \$60,000.00 was budgeted; 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 purchase of the replacement control system as described above and, on the terms set forth above, is approved, and, further, that this resolution shall constitute the proclamation setting forth the basis of single source procurement as contemplated by Ark. Code Ann. Sec 14-58-104 and a copy of this resolution shall be placed on file with the City Clerk.

**PASSED AND APPROVED** this 16<sup>th</sup> day of October 2023.

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

**ATTEST:**

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

**APPROVED:**

\_\_\_\_\_  
Joshua L. Potter, City Attorney



Montgomery Technology  
Systems, LLC  
Sensible, Reliable Installations & Service

June 30, 2023

**Subject: Bowie County Jail, TX - Security Control System Retrofit**

Montgomery Technology Systems, LLC (MTS) is pleased to provide a quote for all necessary material for the below described scope of work for the above referenced project. MTS is proposing to provide a Montgomery Technology, Inc. (MTI) control system. MTI has been in business for over 30 years and has completed over 2000 installations in the detention market. This quote is based information obtained during our site visit.

**Control System**

MTS will provide and install twelve (12) new MTI locking termination boards and relays for adding doors to the existing locking control system. MTS will provide and install a new cabinet at the twelve (12) new remote locking board locations. The doors will be added to the existing control stations. MTS will reuse existing door locks and cabling as is.

MTS has accounted for the following points:

- A Pod Doors: 8
- B Pod Doors: 6
- C Pod Doors: 6
- D Pod Doors: 6
- E Pod Doors: 8
- F Pod Doors: 6
- G Pod Doors: 6
- H Pod Doors: 5
- M Pod Doors: 8
- Q Pod Doors: 6
- R Pod Doors: 4
- S Pod Doors: 6

501-771-54001  
Pre Rec'd 79196

**Pricing**

MTS is pleased to provide the above scope of work for a total of **\$59,200**

*\*All applicable taxes have been accounted for in pricing.*

*\*\*Bonding can be added for 1% of the total contract price.*

T 800.392.8292  
O 334.382.7441

Alabama Office (HQ)  
23 Old Stage Road  
Greenville, AL 36037

Mississippi Office  
707-A Azalea Dr  
Waynesboro, MS 39367

Texas Office  
1045 E. Nakoma Dr. • Suite 102  
San Antonio, TX 78216



Montgomery Technology  
Systems, LLC

Sensible, Reliable Installations & Service

**Warranty**

1. MTS provides the manufacturers standard warranty that all products are to be free of defects in material and workmanship for a period of one (1) year from date of substantial completion.
2. Conditions of the warranty apply only to materials supplied as part of this quote.
3. MTS is neither responsible for damage caused by acts of God nor neglect or abuse by others who have gained access to the equipment.

**Lead Times and Submittals**

1. MTS will provide submittals within ten (10) weeks of receipt of contract or purchase order.
2. Upon receipt of approved submittals and first payment, MTS will order all material and schedule the installation of the project. Material lead times are twelve (12) weeks. However, material lead times can be affected by forces outside of MTS' control (i.e., material shortages). If the material lead times are longer than stated, MTS will advise at the time the material is ordered.
3. MTS will complete the installation within two (2) weeks of material arriving onsite.

**Terms of Payment**

1. All pricing is good for 30 days from date of quote.
2. MTS will invoice 50% of the project total once submittals have been approved. Material for the project will not be ordered until payment for this invoice has been received.
3. MTS will invoice the remaining 50% of the project total once the project has been completed as outlined in the scope of work section.
4. All invoices will be paid within 30 days from invoice date.
5. All invoices not paid within 30 days will be subject to a 1.5% per 30-day late charge.
6. All invoices not paid within 60 days will result in the account being put on credit hold. Once an account is placed on credit hold, MTS will discontinue all services until the account is restored to good standing.
7. If this project is sales tax exempt, a tax exemption certificate must be provided prior to material being ordered.

If I can be of any assistance or answer any questions, please do not hesitate to call me at 800-392-8292.

Sincerely,

*Zane Waters*

T 800.392.8292

O 334.382.7441

Alabama Office (HQ)

23 Old Stage Road  
Greenville, AL 36037

Mississippi Office

707-A Azalea Dr.  
Waynesboro, MS 39367

Texas Office

1045 E. Nakoma Dr. • Suite 102  
San Antonio, TX 78216



July 7, 2023

Subject: Bowie County Jail Center, TX  
MTI Control System – Sole Source

To Whom It May Concern,

Montgomery Technology Systems, LLC (MTS) has proposed a Montgomery Technology, Inc. (MTI) control system for the Bowie County Courthouse. The control upgrades will integrate with the MTI system currently installed.

If another Systems Integrator was to attempt to upgrade and interface the systems, the system at the Courthouse would have to be completely replaced at a significantly higher cost to the County/State.

Montgomery Technology, Inc. is the sole source manufacturer of the MTI control system and its components.

If you have any questions, or would like further information, please do not hesitate to call us.

Sincerely,  
Stuart Bowling



# CITY OF TEXARKANA, AR

## BOARD OF DIRECTORS

**AGENDA TITLE:** Consider the following action concerning the clean-up of nineteen (19) nuisance properties:

Conduct a Public Hearing to receive comments regarding certification of certain delinquent taxes.

Adopt a Resolution certifying amount to be put on tax books as delinquent and collected accordingly. (PWD) Public Works Director Tyler Richards

**AGENDA DATE:** October 16, 2023

**ITEM TYPE:** Ordinance  Resolution  Other

**DEPARTMENT:** Public Works Department

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

**REQUEST:** Certifying amount to be put on tax books as delinquent and collected accordingly

**EMERGENCY CLAUSE:** N/A

**SUMMARY:** Place liens on Miller County tax books to recover the cost of removal of overgrowth, trash, and debris from nuisance properties.

<u>ADDRESS &amp; PARCEL NUMBER</u>	<u>LEGAL DESCRIPTION</u>	<u>OWNER of RECORD</u>	<u>COST</u>
209 Jackson Ward# 2 Parcel# 5610220	Legal: ALL LOTS 1 & 2 Block/Lot: 008 / 002 Subdivision: Williams So Side	Ruby Lee Larey 209 Jackson TEXARKANA, AR 71854	\$220.00
1411 Dudley Ward# 2 Parcel#5410110	Legal: All Lot 4 Block/Lot: 002 / 004 Subdivision: Towerys	Johnson-Willis-Hall-Johnson 2208 Grove St Texarkana, AR 71854	\$220.00
622 Prince Ward# 2 Parcel# 1690120	Legal: ALL LOT 7 Block/Lot: 002 / 007 Subdivision: Bronway Hgts	Walker, Ariel & Thomas, Joseph Sr 2407 County Texarkana AR 71854	\$220.00
1518 Prospect Ward# 2 Parcel# 1695330	Legal: All Lots 25-26-27 AKA Heilbronns subd Block/Lot: 001 / 027 Subdivision: Bronway Hgts	Stephens, Howard C PO Box 24897 Tempe, Az 85285	\$220.00
1705 Roberts Ward# 1 Parcel# 3750100	Legal: ALL OF LOT 11 Block/Lot: 001 / 011 Subdivision: Martin & Roberts	Himes, Clinton & Krystal M 3315 S US Hwy 51 #66 Janesville, Wi 53546	\$220.00

1205 Prince Ward# 2 Parcel# 1690660	Legal: ALL OF LOT 3 Block/Lot: 009 / 003 Subdivision: Bronway Hgts	Patricia Lou Smith PO Box 68 Fouke, AR 71837	\$220.00
723 Prince Ward# 2 Parcel# 1691130	Legal: ALL LOT 6 Block/Lot: 014 / 006 Subdivision: Bronway Hgts	BHM Trading LLC 445 West 40 <sup>th</sup> St Suite 403145 Miami Beach, Fl 33140	\$220.00
1707 Dudley Ward# 2 Parcel# 00345000	Legal: S PT Lots 15-16 NE SW Block/Lot: N/A / N/A Subdivision: 29-15S-28W	PLP Promise Land Properties, LLC 1854 W 169 <sup>th</sup> St Unit A Gardena, Ca 90247	\$220.00
403 Jackson Ward# 2 Parcel# 5610730	Legal: All Lots 6 & 7 Block/Lot: 013 / 007 Subdivision: William So. Side	Bobby Walters 1819 Community Texarkana, AR 71854	\$220.00
506 Jackson Ward# 2 Parcel# 1691360	Legal: All Lots 11 & 12 Block/Lot: 016 / 012 Subdivision: Bronway Hgts	Shaver Glove Company 1101 Opera Stamps, AR 71860	\$220.00
1007 Prince Ward# 2 Parcel# 1690840	Legal: All Lot 4 Block/Lot: 011 / 004 Subdivision: Bronway Hgts	GLAMF, LLC 3024 Ella Way Saint Cloud, Fl 34771	\$220.00
1005 Prince Ward# 2 Parcel# 1690830	Legal: All Lots 2 & 3 Block/Lot: 011 / 003 Subdivision: Bronway Hgts	Chism, Celine & Raglin, Devondrick PO Box 45882 Little Rock, AR 72214	\$220.00
807 Prince Ward# 2 Parcel# 1691020	Legal: All Lot 4 Block/Lot: 013 / 004 Subdivision: Bronway Hgts	Devondrick & Celine Raglin PO Box 45882 Little Rock AR 72214	\$220.00
809 Artesian Ward# 2 Parcel# 4110090	Legal: ALL LOTS 5 & 6 Block/Lot: 052 / 006 Subdivision: Mudford's	Sanford, Leonard & Barbara 809 Artesian TEXARKANA, AR 71854	\$220.00
514 Ferguson Ward# 2 Parcel# 3350370	Legal: All Lot 6 Block/Lot: 001 / 006 Subdivision: Bramble Highland Park	Cheap Home Finders, Inc PO Box 881655 Port Saint Lucie, Florida 34988	\$220.00
501 Ferguson Ward# 2 Parcel# 5350010	Legal: ALL LOT 1 Block/Lot: 001 / 001 Subdivision: Temple & Cook	Miller Mobile Land Investments LLC 6834 Cantrell Rd #1172 Little Rock Ar 72207	\$220.00
318 Ferguson Ward# 2 Parcel# 5490090	Legal: All Lot 8 Block/Lot: 002 / 008 Subdivision: Webber's	Thomas, Chrishnon A 1450 Dancing Wolf San Antonio, Tx 78245	\$220.00
314 Ferguson Ward# 2 Parcel# 5490100	Legal: ALL OF LOT 9 Block/Lot: 002 / 009 Subdivision: Webber's	Gathwright, Byron D 117 South St Camden, Ar 71701	\$220.00
1409 Dudley Ward# 2 Parcel# 5410100	Legal: All Lot 3 Block/Lot: 002 / 003 Subdivision: Towerys	Gibson, Odessa Odara 19454 NW 29th Court Miami Gardens, Fl 330560	\$220.00

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**EXPENSE REQUIRED:** \$0.00

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**AMOUNT BUDGETED:** \$0.00

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**APPROPRIATION  
REQUIRED:** \$0.00

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**RECOMMENDED  
ACTION:**

City Manager and staff recommend board approval.

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**EXHIBITS:**

Resolution, Invoices to Property Owner's and List of property addresses, legal descriptions, owner's names and address, and amount of liens.



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

**WHEREAS**, notice was given pursuant to Ark. Code Ann. §14-54-904 to the property owners identified in Exhibit A attached herto of a hearing before the Texarkana, Arkansas, Board of Directors to determine the amount of the lien, if any, to be placed on the property identified in Exhibit A for the expense incurred by the City for removal of overgrowth, trash and debris from nuisance properties of such parcel of real property under the provisions of Ark. Code Ann. §14-56-201. Et seq., and Ark. Code Ann. §14-54-901, et seq., and the *City of Texarkana, Arkansas, Code of Ordinances*, including, without limitation Chapter 11, Article VI; and

**WHEREAS**, such notice was given pursuant to applicable law more than thirty (30) days prior to the date of the hearing and stated that the hearing on the matter would be before the City Board of Directors on October 16, 2023, commencing at 6:00 p.m. in the Texarkana, Arkansas, Municipal Building Board Room; and

**WHEREAS**, a hearing on such claim by the City was held this date pursuant to said notice and in accordance with the provisions of applicable law and the *City of Texarkana, Arkansas, Code of Ordinances*; and

**WHEREAS**, the properties at issue, property owners, and lien amounts (with the amount of the lien on each said parcel being the City's incurred expense for such parcel plus 10% penalty (as provided by law, including without limitation, Ark. Code Ann. §14-54-904) are attached; and

**WHEREAS**, the Board of Directors has determined that there should be certified to the Miller County, Arkansas, Tax Collector to be placed on the books as delinquent taxes the amount set forth in Exhibit A for each said parcel of real property;

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Directors of the City of Texarkana, Arkansas, that the amounts set forth and attached hereto are hereby certified to the Tax Collector for Miller County, Arkansas, for placement on the tax books as delinquent taxes on the respective parcels of real property identified and described and collected accordingly as provided for by applicable law, including, without limitation, Ark. Code Ann. §14-54-901, et. seq.

**PASSED AND APPROVED** this 16<sup>th</sup> day of October 2023.

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Allen L. Brown, Mayor

**ATTEST:**

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Heather Soyars, City Clerk

**APPROVED:**

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Joshua L. Potter, City Attorney

# EXHIBIT A

<u>ADDRESS &amp; PARCEL NUMBER</u>	<u>LEGAL DESCRIPTION</u>	<u>OWNER of RECORD</u>	<u>COST</u>
209 Jackson Ward# 2 Parcel# 5610220	Legal: ALL LOTS 1 & 2 Block/Lot: 008 / 002 Subdivision: Williams So Side	Ruby Lee Larey 209 Jackson TEXARKANA, AR 71854	\$220.00
1411 Dudley Ward# 2 Parcel#5410110	Legal: All Lot 4 Block/Lot: 002 / 004 Subdivision: Towerys	Johnson-Willis-Hall-Johnson 2208 Grove St Texarkana, AR 71854	\$220.00
622 Prince Ward# 2 Parcel# 1690120	Legal: ALL LOT 7 Block/Lot: 002 / 007 Subdivision: Bronway Hgts	Walker, Ariel & Thomas, Joseph Sr 2407 County Texarkana AR 71854	\$220.00
1518 Prospect Ward# 2 Parcel# 1695330	Legal: All Lots 25-26-27 AKA Heilbronns subd Block/Lot: 001 / 027 Subdivision: Bronway Hgts	Stephens, Howard C PO Box 24897 Tempe, Az 85285	\$220.00
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1707 Dudley Ward# 2 Parcel# 00345000	Legal: S PT Lots 15-16 NE SW Block/Lot: N/A / N/A Subdivision: 29-15S-28W	PLP Promise Land Properties, LLC 1854 W 169 <sup>th</sup> St Unit A Gardena, Ca 90247	\$220.00
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1007 Prince Ward# 2 Parcel# 1690840	Legal: All Lot 4 Block/Lot: 011 / 004 Subdivision: Bronway Hgts	GLAMF, LLC 3024 Ella Way Saint Cloud, Fl 34771	\$220.00

# EXHIBIT A

1005 Prince Ward# 2 Parcel# 1690830	Legal: All Lots 2 & 3 Block/Lot: 011 / 003 Subdivision: Bronway Hgts	Chism, Celine & Raglin, Devondrick PO Box 45882 Little Rock, AR 72214	\$220.00
807 Prince Ward# 2 Parcel# 1691020	Legal: All Lot 4 Block/Lot: 013 / 004 Subdivision: Bronway Hgts	Devondrick & Celine Raglin PO Box 45882 Little Rock AR 72214	\$220.00
809 Artesian Ward# 2 Parcel# 4110090	Legal: ALL LOTS 5 & 6 Block/Lot: 052 / 006 Subdivision: Mudford's	Sanford, Leonard & Barbara 809 Artesian Texarkana, AR 71854	\$220.00
514 Ferguson Ward# 2 Parcel#3350370	Legal: All Lot 6 Block/Lot: 001 / 006 Subdivision: Bramble Highland Park	Cheap Home Finders, Inc PO Box 881655 Port Saint Lucie, Florida 34988	\$220.00
501 Ferguson Ward# 2 Parcel# 5350010	Legal: ALL LOT 1 Block/Lot: 001 / 001 Subdivision: Temple & Cook	Miller Mobile Land Investments LLC 6834 Cantrell Rd #1172 Little Rock, Ar 72207	\$220.00
318 Ferguson Ward# 2 Parcel# 5490090	Legal: All Lot 8 Block/Lot: 002 / 008 Subdivision: Webber's	Thomas, Chrishnon A 1450 Dancing Wolf San Antonio, Tx 78245	\$220.00
314 Ferguson Ward# 2 Parcel# 5490100	Legal: ALL OF LOT 9 Block/Lot: 002 / 009 Subdivision: Webber's	Gathwright, Byron D 117 South St Camden, Ar 71701	\$220.00
1409 Dudley Ward# 2 Parcel# 5410100	Legal: All Lot 3 Block/Lot: 002 / 003 Subdivision: Towyers	Gibson, Odessa Odara 19454 NW 29th Court Miami Gardens, Fl 330560	\$220.00

<u>ADDRESS, WARD NUMBER AND MILLER COUNTY PARCEL NUMBER</u>	<u>LEGAL DESCRIPTION (PER MILLER COUNTY ASSESSOR, NOT INDEPENDENTLY VERIFIED)</u>	<u>OWNER</u>	<u>COST</u>
209 Jackson Ward# 2 Parcel# 5610220	Legal: ALL LOTs 1 & 2 Block/Lot: 008 / 002 Subdivision: Williams So Side	Ruby Lee Larey 209 Jackson TEXARKANA, AR 71854	\$220.00
1411 Dudley Ward# 2 Parcel#5410110	Legal: All Lot 4 Block/Lot: 002 / 004 Subdivision: Towerys	Johnson-Willis-Hall-Johnson 2208 Grove St Texarkana, AR 71854	\$220.00
622 Prince Ward# 2 Parcel# 1690120	Legal: ALL LOT 7 Block/Lot: 002 / 007 Subdivision: Bronway Hgts	Walker, Ariel & Thomas, Joseph Sr 2407 County Texarkana AR 71854	\$220.00
1518 Prospect Ward# 2 Parcel# 1695330	Legal: All Lots 25-26-27 AKA Heilbronns subd Block/Lot: 001 / 027 Subdivision: Bronway Hgts	Stephens, Howard C PO Box 24897 Tempe, Az 85285	\$220.00
1705 Roberts Ward# 1 Parcel# 3750100	Legal: ALL OF LOT 11 Block/Lot: 001 / 011 Subdivision: Martin & Roberts	Himes, Clinton & Krystal M 3315 S US Hwy 51 #66 Janesville, Wi 53546	\$220.00
1205 Prince Ward# 2 Parcel# 1690660	Legal: ALL OF LOT 3 Block/Lot: 009 / 003 Subdivision: Bronway Hgts	Patricia Lou Smith PO Box 68 Fouke, AR 71837	\$220.00
723 Prince Ward# 2 Parcel# 1691130	Legal: ALL LOT 6 Block/Lot: 014 / 006 Subdivision: Bronway Hgts	BHM Trading LLC 445 West 40 <sup>th</sup> St Suite 403145 Miami Beach, Fl 33140	\$220.00
1707 Dudley Ward# 2 Parcel# 00345000	Legal: S PT Lots 15-16 NE SW Block/Lot: N/A / N/A Subdivision: 29-15S-28W	PLP Promise Land Properties, LLC 1854 W 169 <sup>th</sup> St Unit A Gardena, Ca 90247	\$220.00
403 Jackson Ward# 2 Parcel# 5610730	Legal: All Lots 6 & 7 Block/Lot: 013 / 007 Subdivision: William So. Side	Bobby Walters 1819 Community Texarkana, AR 71854	\$220.00
506 Jackson Ward# 2 Parcel# 1691360	Legal: All Lots 11 & 12 Block/Lot: 016 / 012 Subdivision: Bronway Hgts	Shaver Glove Company 1101 Opera Stamps, AR 71860	\$220.00
1007 Prince Ward# 2 Parcel# 1690840	Legal: All Lot 4 Block/Lot: 011 / 004 Subdivision: Bronway Hgts	GLAMF, LLC 3024 Ella Way Saint Cloud, Fl 34771	\$220.00
1005 Prince Ward# 2 Parcel# 1690830	Legal: All Lots 2 & 3 Block/Lot: 011 / 003 Subdivision: Bronway Hgts	Chism, Celine & Raglin, Devondrick PO Box 45882 Little Rock, AR 72214	\$220.00
807 Prince Ward# 2 Parcel# 1691020	Legal: All Lot 4 Block/Lot: 013 / 004 Subdivision: Bronway Hgts	Devondrick & Celine Raglin PO Box 45882 Little Rock AR 72214	\$220.00
809 Artesian Ward# 2 Parcel# 4110090	Legal: ALL LOTs 5 & 6 Block/Lot: 052 / 006 Subdivision: Mudford's	Sanford, Leonard & Barbara 809 Artesian TEXARKANA, AR 71854	\$220.00

514 Ferguson Ward# 2 Parcel#3350370	Legal: All Lot 6 Block/Lot: 001 / 006 Subdivision: Bramble Highland Park	Cheap Home Finders, Inc PO Box 881655 Port Saint Lucie, Florida 34988	\$220.00
501 Ferguson Ward# 2 Parcel# 5350010	Legal: ALL LOT 1 Block/Lot: 001 / 001 Subdivision: Temple & Cook	Miller Mobile Land Investments LLC 6834 Cantrell Rd #1172 Little Rock Ar 72207	\$220.00
318 Ferguson Ward# 2 Parcel# 5490090	Legal: All Lot 8 Block/Lot: 002 / 008 Subdivision: Webber's	Thomas, Chrishnon A 1450 Dancing Wolf San Antonio, Tx 78245	\$220.00
314 Ferguson Ward# 2 Parcel# 5490100	Legal: ALL OF LOT 9 Block/Lot: 002 / 009 Subdivision: Webber's	Gathwright, Byron D 117 South St Camden, Ar 71701	\$220.00
1409 Dudley Ward# 2 Parcel# 5410100	Legal: All Lot 3 Block/Lot: 002 / 003 Subdivision: Towerys	Gibson, Odessa Odara 19454 NW 29th Court Miami Gardens, Fl 330560	\$220.00

W-2



**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

INVOICE

**COPY**

July 25, 2023

Ruby Lee Larey  
209 Jackson  
Texarkana Arkansas 71854

Re: Parcel# 5610220

This billing is for the mowing/cleaning of the property located at the above legal description, and/or the physical address of 209 Jackson.

Total: \$200.00

Please make check payable to:

City of Texarkana Arkansas  
Public Works Department  
P.O Box 2711  
Texarkana, Arkansas 75504

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Lynn Kilgore  
Public Works  
Administrative Assistant

W-2



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July 25, 2023

**Johnson-Willis-Hall-Johnson**  
2208 Grove St  
Texarkana, Arkansas 71854

Re: **Parcel# 5410110**

This billing is for the mowing/cleaning of the property located at the above legal description, and/or the physical address of **1411 Dudley.**

**Total: \$200.00**

Please make check payable to:

City of Texarkana Arkansas  
Public Works Department  
P.O Box 2711  
Texarkana, Arkansas 75504

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Administrative Assistant



W-2



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July 25, 2023

Ariel and Joseph Walker  
2407 County Ave  
Texarkana Arkansas 71854

Re: Parcel# 1690120

This billing is for the mowing/cleaning of the property located at the above legal description, and/or the physical address of 622 Prince.

Total: \$200.00

Please make check payable to:

City of Texarkana Arkansas  
Public Works Department  
P.O Box 2711  
Texarkana, Arkansas 75504

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Lynn Kilgore  
Public Works  
Administrative Assistant

102



**CITY OF TEXARKANA ARKANSAS**  
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July 25, 2023

Howard Stephens  
C/O Rosemary Haynie  
137 Roosevelt Dr Apt 101  
Campbell Oh 44405

Re: Parcel# 1695330

This billing is for the mowing/cleaning of the property located at the above legal description, and/or the physical address of 1518 Prospect.

Total: \$200.00

Please make check payable to:

City of Texarkana Arkansas  
Public Works Department  
P.O Box 2711  
Texarkana, Arkansas 75504

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Public Works  
Administrative Assistant

W-1



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July 25, 2023

**Clinton & Krystal Himes**  
3315 S US HWY 51 #66  
Janesville, Wi 53546

Re: Parcel# 3750100

This billing is for the mowing/cleaning of the property located at the above legal description, and/or the physical address of 1705 Roberts.

**Total: \$200.00**

Please make check payable to:

City of Texarkana Arkansas  
Public Works Department  
P.O Box 2711  
Texarkana, Arkansas 75504

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W-2



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July 25, 2023

Patricia Lou Smith  
Po Box 68  
Fouke Arkansas 71837

Re: **Parcel# 1690660**

This billing is for the mowing/cleaning of the property located at the above legal description, and/or the physical address of 1205 Prince.

**Total: \$200.00**

Please make check payable to:

City of Texarkana Arkansas  
Public Works Department  
P.O Box 2711  
Texarkana, Arkansas 75504

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Lynn Kilgore  
Public Works  
Administrative Assistant

W-2



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July 25, 2023

**BHM Trading, LLC**  
445 W 40<sup>th</sup> St Ste 403145  
Miami Beach, FL 33140

Re: **Parcel# 1691130**

This billing is for the mowing/cleaning of the property located at the above legal description, and/or the physical address of **723 Prince.**

**Total: \$200.00**

Please make check payable to:

City of Texarkana Arkansas  
Public Works Department  
P.O Box 2711  
Texarkana, Arkansas 75504

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Lynn Kilgore  
Public Works  
Administrative Assistant

10-2



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July 25, 2023

PLP Promise Land Properties, LLC  
1854 W 169<sup>th</sup> St Unit A  
Gardena, Ca 90247

Re: Parcel# 00345000

This billing is for the mowing/cleaning of the property located at the above legal description, and/or the physical address of 1707 Dudley.

Total: \$200.00

Please make check payable to:

City of Texarkana Arkansas  
Public Works Department  
P.O Box 2711  
Texarkana, Arkansas 75504

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W-2



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July 25, 2023

**Bobby Walters or Amanda Witt**  
**1819 Community**  
**Texarkana, Arkansas 71854**

Re: **Parcel# 5610730**

This billing is for the mowing/cleaning of the property located at the above legal description, and/or the physical address of **403 Jackson.**

**Total: \$200.00**

Please make check payable to:

City of Texarkana Arkansas  
Public Works Department  
P.O Box 2711  
Texarkana, Arkansas 75504

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Lynn Kilgore  
Public Works  
Administrative Assistant

102



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August 2, 2023

Shaver Glove Company  
1101 Opera  
Stamps, Arkansas 71860

Re: Parcel# 1691360

This billing is for the mowing/cleaning of the property located at the above legal description, and/or the physical address of 506 Jackson.

Total: \$200.00

Please make check payable to:

City of Texarkana Arkansas  
Public Works Department  
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Texarkana, Arkansas 75504

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W-2



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August 2, 2023

**Glamf, LLC**  
3024 Ella Way  
Saint Cloud, Fl 34771

Re: **Parcel# 1690840**

This billing is for the mowing/cleaning of the property located at the above legal description, and/or the physical address of **1007 Prince.**

**Total: \$200.00**

Please make check payable to:

City of Texarkana Arkansas  
Public Works Department  
P.O Box 2711  
Texarkana, Arkansas 75504

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Administrative Assistant

W-2



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August 2, 2023

**Chism, Celine & Raglin, Devondrick**  
**Po Box 45882**  
**Little Rock, Arkansas 72214**

Re: **Parcel# 1690830**

This billing is for the mowing/cleaning of the property located at the above legal description, and/or the physical address of **1005 Prince.**

**Total: \$200.00**

Please make check payable to:

City of Texarkana Arkansas  
Public Works Department  
P.O Box 2711  
Texarkana, Arkansas 75504

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Public Works  
Administrative Assistant

W2



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August 2, 2023

**Devondrick & Celine Raglin**  
**Po Box 45882**  
**Little Rock, Arkansas 72214**

Re: **Parcel# 1691020**

This billing is for the mowing/cleaning of the property located at the above legal description, and/or the physical address of **807 Prince.**

**Total: \$200.00**

Please make check payable to:

City of Texarkana Arkansas  
Public Works Department  
P.O Box 2711  
Texarkana, Arkansas 75504

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Public Works  
Administrative Assistant



10-2

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August 18, 2023

**Leonard & Barbara Sanford**  
**809 Artesian**  
**Texarkana, Arkansas 71854**

Re: **Parcel# 4110090**

This billing is for the mowing/cleaning of the property located at the above legal description, and/or the physical address of **809 Artesian.**

**Total: \$200.00**

Please make check payable to:

City of Texarkana Arkansas  
Public Works Department  
P.O Box 2711  
Texarkana, Arkansas 75504

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Administrative Assistant

10-2



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August 18, 2023

**Cheap Home Finders, Inc**  
**PO Box 881655**  
**Port Saint Lucie, Florida 34988**

Re: **Parcel# 1590060**

This billing is for the mowing/cleaning of the property located at the above legal description, and/or the physical address of **514 Ferguson.**

**Total: \$200.00**

Please make check payable to:

City of Texarkana Arkansas  
Public Works Department  
P.O Box 2711  
Texarkana, Arkansas 75504

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Lynn Kilgore  
Public Works  
Administrative Assistant



10/2  
**CITY OF TEXARKANA ARKANSAS**  
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August 18, 2023

**Miller Mobile Land Investments LLC**  
6834 Cantrell Rd #1172  
Little Rock, Arkansas 72207

Re: **Parcel# 5350010**

This billing is for the mowing/cleaning of the property located at the above legal description, and/or the physical address of **501 Ferguson.**

**Total: \$200.00**

Please make check payable to:

City of Texarkana Arkansas  
Public Works Department  
P.O Box 2711  
Texarkana, Arkansas 75504

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Lynn Kilgore  
Public Works  
Administrative Assistant

10-2



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**COPY**

August 18, 2023

**Chrishnon A Thomas**  
**1450 Dancing Wolf**  
**San Antonio, Texas 78245**

Re: **Parcel# 5490090**

This billing is for the mowing/cleaning of the property located at the above legal description, and/or the physical address of **318 Ferguson.**

**Total: \$200.00**

Please make check payable to:

City of Texarkana Arkansas  
Public Works Department  
P.O Box 2711  
Texarkana, Arkansas 75504

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Lynn Kilgore  
Public Works  
Administrative Assistant



102  
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**COPY**

August 18, 2023

**Byron D Gathwright**  
117 South St  
Camden, Arkansas 71701

Re: **Parcel# 5490100**

This billing is for the mowing/cleaning of the property located at the above legal description, and/or the physical address of **314 Ferguson.**

**Total: \$200.00**

Please make check payable to:

City of Texarkana Arkansas  
Public Works Department  
P.O Box 2711  
Texarkana, Arkansas 75504

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Public Works  
Administrative Assistant



W-2



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INVOICE

**COPY**

August 18, 2023

**Odessa O Gibson**  
19454 NW 29<sup>th</sup> Court  
Miami Gardens, FL 330560

Re: **Parcel# 5410100**

This billing is for the mowing/cleaning of the property located at the above legal description, and/or the physical address of **1409 Dudley.**

**Total: \$200.00**

Please make check payable to:

City of Texarkana Arkansas  
Public Works Department  
P.O Box 2711  
Texarkana, Arkansas 75504

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Lynn Kilgore  
Public Works  
Administrative Assistant



# CITY OF TEXARKANA, AR

## BOARD OF DIRECTORS

---

**AGENDA TITLE:** Adopt a Resolution authorizing the City Manager to enter into a Memorandum of Understanding with the City of Texarkana, Texas, for the purpose of pursuing a \$500,000.00 Community Wide Brownfields Assessment Grant. (PWD) Public Works Director Tyler Richards

**AGENDA DATE:** October 16, 2023

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

**DEPARTMENT:** Public Works Department

**PREPARED BY:** Jamie Finley, City Planner

---

**REQUEST:** Adopt a Resolution authorizing the City Manager to enter into a Memorandum of Understanding with the City of Texarkana, Texas, for the purpose of pursuing a Community Wide Brownfields Assessment grant.

**EMERGENCY CLAUSE:** N/A

---

**SUMMARY:** A resolution authorizing the City Manager to enter into a Memorandum of Understanding with the City of Texarkana, Texas, for the purpose of pursuing a Community Wide Brownfields Assessment grant from the United States Environmental Protection Agency in the amount of \$500,000 to perform environmental assessments of potentially contaminated properties to aid in redevelopment of distressed areas.

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**EXPENSE REQUIRED:** \$0 .00

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**AMOUNT BUDGETED:** \$0.00

---

**APPROPRIATION  
REQUIRED:** \$0.00

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**RECOMMENDED  
ACTION:** City Manager and staff recommend board approval. (City Attorney has reviewed and approved MOU)

---

**EXHIBITS:** Resolution and Memorandum of Understanding

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

**WHEREAS**, the Public Works Department requests authorization for the City Manager to enter into a Memorandum of Understanding with the City of Texarkana, Texas, for the purpose of pursuing a \$500,000.00 grant from the United States Environmental Protection Agency Community Wide Brownfields Assessment; and

**WHEREAS**, the purpose of the \$500,000.00 grant is to help perform environmental assessments of potentially contaminated properties that may enable cleanup of these sites for the health and welfare of the citizens as well as to aid in redevelopment of the distressed areas;

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Directors of the City of Texarkana, Arkansas, that the City Manager is hereby authorized to enter into a Memorandum of Understanding with the City of Texarkana, Texas, for the purpose of pursuing the grant described herein.

**PASSED AND APPROVED** this 16<sup>th</sup> day of October 2023.

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

**ATTEST:**

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

**APPROVED:**

\_\_\_\_\_  
Joshua L. Potter, City Attorney

**MEMORANDUM OF UNDERSTANDING**  
**BETWEEN**  
**THE CITY OF TEXARKANA, TEXAS, AND THE CITY OF TEXARKANA, ARKANSAS**

WHEREAS the City of Texarkana, Texas and the City of Texarkana, Arkansas, hereinafter collectively referred to as “Texarkana USA”, have a significant inventory of Brownfields properties; and

WHEREAS Texarkana USA shares Brownfield properties and a major corridor bisected by the state line; and

WHEREAS Texarkana USA lacks the necessary budgetary resources to independently support Brownfields activities; and

WHEREAS the United States Environmental Protection Agency (the “EPA”) has opened a solicitation for Community Wide Brownfields Assessment funding for an amount ranging from \$300,000 to \$500,000; and

WHEREAS Texarkana USA has a great need for this funding to perform environmental assessments of potentially contaminated properties that may enable cleanup of these sites for the health and welfare of their citizens and to aid in redevelopment of their distressed areas; and

WHEREAS Texarkana USA has a desire to apply for \$500,000 with Texarkana, Texas as the Lead Applicant.

**I. RESPONSIBILITIES OF THE CITY OF TEXARKANA, TEXAS**

The City of Texarkana, Texas shall undertake the following:

- To manage and administer this agreement;
- To prepare and submit grant applications to the EPA under consultation with the City of Texarkana, Arkansas;

- To procure a consultant in compliance with Arkansas and Texas State Statutes, which procurement shall include, but not be limited to the following:
  - (1) issue Request for Proposals or Request for Qualifications;
  - (2) oversee receipt of the submitted proposals;
  - (3) selection and award of contracts;
  - (4) negotiate the terms of agreements in consultation with the City of Texarkana, Arkansas; and
  - (5) execute any agreements in consultation with the City of Texarkana, Arkansas.
- To develop a site selection process based on agreed upon factors that will ensure a minimum of eleven (11) Phase I Environmental Site Assessments and six (6) Phase II Environmental Site Assessments and project plans are completed over the life of the agreement and in consultation with the City of Texarkana, Arkansas and to submit the same to EPA for prior approval to ensure eligibility;
- Upon designation of the specific sites, to work with City of Texarkana, Arkansas to finalize the scope of work for the consultant or contractor;
- To ensure that other activities as negotiated in the work plan, such as community outreach and involvement, are implemented in accordance with a schedule agreed upon by both parties;
- To maintain compliance with the statutes, regulations, and terms and conditions of any grants received;
- To provide for the general administration of grants received;
- To maintain compliance with the terms and conditions of this Agreement:
- To provide timely information to the City of Texarkana, Arkansas regarding the management of the Agreement and any changes that may be made to the Agreement over the period of performance; and
- Any other responsibilities that, from time to time, Texarkana USA shall determine to be necessary and proper to accomplish the purposes of the Agreement.

## II. RESPONSIBILITIES OF THE CITY OF TEXARKANA, ARKANSAS

The City of Texarkana, Arkansas shall undertake the following:

- To provide timely information to the City of Texarkana, Texas as may be requested in performing its duties under this Agreement;
- To participate fully in the Brownfields assessment process;
- To obtain all required permits, easements, and /or access agreements as may be necessary to undertake assessments at the selected site; provided however, if the City of Texarkana, Arkansas, does not have the capacity to perform these activities at that time, the City of Texarkana, Texas may assist in securing necessary site access agreements and permits with City of Texarkana, Arkansas' full cooperation;

- To comply with all funding requirements set forth in any grant agreements that may be entered into by the City of Texarkana, Texas, including an accounting of expenditures of grant funds made; and
- To timely comply with any other requests that may be made by the Lead Applicant from time to time in performing its duties under this Agreement.
- To maintain compliance with the terms and conditions of this Agreement; and
- Any other responsibilities that, from time to time, Texarkana USA shall determine to be necessary and proper to accomplish the purposes of the Agreement.

### III. FUNDING

Texarkana USA agrees to the following:

- Any compensation for professional services shall be paid as provided under the terms of any grants received.
- Any commitment of non-grant funds must be approved pursuant to the procurement requirements of the governing bodies of the respective Parties.
- Texarkana USA understands and acknowledges that all funds used for payment according to this Agreement, if any, shall be derived solely from funds specifically appropriated for this MOU or projects relating thereto, and there shall be no obligation on the City of Texarkana, Texas or City of Texarkana, Arkansas to provide additional funding.

### IV. NOTICES

All notices, demands or communications required in accordance with the terms of this Agreement, shall be sent by registered or certified mail, return receipt requested; by nationally recognized overnight courier service with notice effective five days after deposit in the mail or delivery to the courier service; or by email sent to the email address designated by the parties effective upon receipt of a delivery notice. The notices shall be sent to the addresses set forth below unless otherwise designated, in writing, by the parties.

For the City of Texarkana, Texas:

David Orr, City Manager  
220 Texas Boulevard  
Texarkana, TX 75501  
903-798-3901  
Email: [david.orr@texarkanatexas.gov](mailto:david.orr@texarkanatexas.gov)

Cc: Vashil Fernandez, Director of Planning, Community Development, and Health  
[vashil.fernandez@texarkanatexas.gov](mailto:vashil.fernandez@texarkanatexas.gov)

Daphnea Ryan, Grants Administration Manager, [dryan@texarkanatexas.gov](mailto:dryan@texarkanatexas.gov)

For the City of Texarkana, Arkansas:

Tyler Richards, Director, Department of Public Works  
216 Walnut Street  
Texarkana, AR 71854  
870-779-4975  
[tyler.richards@txkusa.org](mailto:tyler.richards@txkusa.org)

V. EFFECTIVE DATE AND SIGNATURE

The Effective Date of this Agreement shall be the date the last representative executed the agreement and shall terminate ninety (90) days after the date the awarded EPA Assessment Grant expires.

**City of Texarkana, Texas**

\_\_\_\_\_  
David Orr, Ph.D., City Manager






\_\_\_\_\_  
Date

**City of Texarkana, Arkansas**

\_\_\_\_\_  
Robert Thompson, City Manager





\_\_\_\_\_  
Date

**BROWNSFIELD SITES IN TEXARKANA, ARKANSAS  
DRY CLEANERS**



	<b>NAME</b>	<b>ADDRESS</b>
1.	Holiday Cleaners 	1224 County Avenue 
2.	Holiday Cleaners 	200 East Street
3.	Colonial Cleaners & Uniform Rental (No. 1) 	1313 East 35 <sup>th</sup> Street
4.	Old Model Cleaners 	409 Hazel Street




**MISCELLANEOUS BROWNSFIELD SITES**

	<b>NAME</b>	<b>ADDRESS</b>
1.	Wrecking Yard 	210 N. Oats Street
2.	Abandoned 7-11 Convenience Store 	901 County Avenue
3.	Kline Building 	207 East Broad Street
4.	Regency Building 	110 E. Broad Street






## DUMPS/LANDFILLS

	NAME	ADDRESS
1.	Dump/Landfill 	Mount Olive & Sugarhill Road
2.	Old Dumping Site 	Highway 237

## ABANDONED INDUSTRIAL BUILDINGS





	NAME	ADDRESS
1.	Neon Plant (mercury) 	611 Grand Avenue

## ABANDONED GAS/SERVICE STATIONS

	NAME	ADDRESS
1.	<p>Abandoned Service Station</p> 	519 East 7 <sup>th</sup> Street
2.	<p>A building that looks like an older service station across from the park where gentlemen play dominos.</p> 	1302 Preston Street
3.	<p>Old Gas Station</p> 	503 E. 7 <sup>th</sup> Street
4.	<p>Old Service Station</p> 	1314 E. 9 <sup>th</sup> Street
5.	<p>Abandoned Gas Station</p> 	201 East 7 <sup>th</sup> Street

6.	Abandoned Gas Station 	320 E. 7 <sup>th</sup> Street
7.	Abandoned Gas Station 	323 E. 7 <sup>th</sup> Street
8.	Old Service Station 	504 E. 7 <sup>th</sup> Street
9.	Old Gas Station 	301 Hickory Street
10.	Old Gas Station (Being Used for office space) 	812 East Street

## ABANDONED AUTO/REPAIR SHOPS

	NAME	ADDRESS
1.	Salvage/Repair Shop 	4103 Tennessee Road
2.	Old Repair Shop 	2208 E. 9 <sup>th</sup> Street
3.	Old Repair Shop 	2104 E. 9 <sup>th</sup> Street
4.	Old Mechanic/Oil Changer Shop 	625 E. 9 <sup>th</sup> Street



## CITY OF TEXARKANA, AR BOARD OF DIRECTORS

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**AGENDA TITLE:** Public Hearing to consider the following action regarding a request to abandon certain portions of undeveloped land east of Manor Way Road, west of Summit Drive and Pine Hill Circle, north of Tennessee Road, and south of Fortune Lane located in Ward 1.

Adopt an Ordinance to approve the abandonment of certain portions of dedicated undeveloped land east of Manor Way Road, west of Summit Drive and Pine Hill Circle, north of Tennessee Road, and south of Fortune Lane located in Ward 1. (Fricks) (PWD-Planning) City Planner Jamie Finley

**AGENDA DATE:** October 16, 2023

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

**DEPARTMENT:** PWD-Planning

**PREPARED BY:** Jamie Finley, City Planner

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**REQUEST:** Vacate an undeveloped right-of-way dedicated to the public for access on a tract of land located east of Manor Way Road, west of Summit Drive and Pine Hill Circle, north of Tennessee Road and south of Fortune Lane in Wootens 2<sup>nd</sup> Subdivision.

**EMERGENCY CLAUSE:** N/A

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**SUMMARY:** The Planning Commission recommends vacating a right-of-way dedicated to public for access on a tract of land located east of Manor Way Road, west of Summit Drive and Pine Hill Circle, north of Tennessee Road and south of Fortune Lane in Wootens 2<sup>nd</sup> Subdivision.

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**EXPENSE REQUIRED:** 0

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**AMOUNT BUDGETED:** 0

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**APPROPRIATION  
REQUIRED:** 0

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

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**EXHIBITS:** Ordinance, Petition, Memo to City Manager, Map

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

**AN ORDINANCE PROVIDING FOR THE VACATION AND ABANDONMENT OF DEDICATED PUBLIC ACCESS EASEMENTS LOCATED IN WOOTENS 2ND SUBDIVISION, AND FOR OTHER PURPOSES**

**WHEREAS**, a petition was duly filed by Clay Fricks with the Board of Directors of the City of Texarkana, Arkansas, asking that the Board vacate and abandon the following described undeveloped rights-of-way in WOOTENS 2ND SUBDIVISION:

Penny Lou Lane from Summit Drive to undeveloped Fortune Lane. Right-of-way lies East of Block 22/Lots 1-10 of WOOTENS 2<sup>nd</sup> lying in Section 25, Township 15, Range 28, Texarkana, Miller County, Arkansas. Block 23/Lots 1-7 and Block 25/Lots 7-9 of WOOTEN'S 2<sup>ND</sup> lying in Section 25, Township 15S, Range 28W, Texarkana, Miller County, Arkansas. Right-of-way is approximately 60' wide, 1354' in length and contains 1.89 acres more or less.

Duke's Drive from Summit Drive to Manor Way Road. Right-of-way lies South of Block 22/Lots 6-10 of WOOTENS 2<sup>nd</sup> lying in Section 25, Township 15, Range 28, Texarkana, Miller County, Arkansas. Right-of-way is approximately 60' wide, 572' in length and contains .81 acres more or less.

And

Sunset Drive from Manor Way Road to undeveloped Penny Lou Lane. Right-of-way lies South of Block 23/Lots 6-10 of WOOTENS 2<sup>nd</sup> lying in Section 25, Township 15S, Range 28W Texarkana, Miller County, Arkansas. Right-of-way is approximately 60' wide, 520' in length and contains .68 acres more or less.

**WHEREAS**, after due notice as required by law, the Board of Directors conducted a public hearing and heard all persons desiring to be heard on the question, and

has ascertained that the undeveloped rights-of-way described above have not been actually used by the public for a period of at least five (5) years subsequent to the filing of the plat, and that public interest and welfare will not be adversely affected by the abandonment of such rights-of-way;

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

**Section 1:** The City of Texarkana, Arkansas, hereby releases, vacates, and abandons all of its rights, together with the rights of public generally, in and to the dedicated 60' wide and 1354' in length right-of-way East of Block 22/Lots 1-10 of WOOTENS 2<sup>nd</sup> lying in Section 25, Township 15, Range 28, Texarkana, Miller County, Arkansas.

**Section 2:** The City of Texarkana, Arkansas, hereby releases, vacates, and abandons all of its rights, together with the rights of public generally, in and to the dedicated 60' wide and 572' in length right-of-way South of Block 22/Lots 6-10 of WOOTENS 2<sup>nd</sup> lying in Section 25, Township 15, Range 28, Texarkana, Miller County, Arkansas.

**Section 3:** The City of Texarkana, Arkansas, hereby releases, vacates, and abandons all of its rights, together with the rights of public generally, in and to the dedicated 60' wide and 520' in length right-of-way South of Block 23/Lots 6-10 of WOOTENS 2<sup>nd</sup> lying in Section 25, Township 15S, Range 28W Texarkana, Miller County, Arkansas.

**Section 4:** A copy of this ordinance duly certified by the City Clerk, shall be filed in the office of the recorder of Miller County, Arkansas, and recorded in the deed records of the County.

**Section 5:** This ordinance shall take effect and be in force from and after its passing.



**PASSED AND APPROVED** this 16<sup>th</sup> day of October 2023.

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Allen L. Brown, Mayor

**ATTEST:**

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Heather Soyars, City Clerk

**APPROVED:**

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Joshua L. Potter, 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:** Robert Thompson, City Manager

**FROM:** Jamie Finley, City Planner

**DATE:** September 13, 2023

**SUBJECT:** Board of Directors Agenda item for 10-02-2023, Request a public hearing to vacate a dedicated public access easement (ROW) – Petition by Clay Fricks, 6607 Tennessee Road, Texarkana, AR 71854, to abandon an undeveloped public right-of-way.

**LEGAL DESCRIPTION:**

Penny Lou Lane from Summit Drive to undeveloped Fortune Lane. ROW lies East of Block 22/Lots 1-10 of WOOTEN'S 2<sup>ND</sup> lying in Section 25, Township 15, Range 28, Texarkana, Miller County, Arkansas. Block 23/Lots 1-7 and Block 25/Lots 7-9 of WOOTENS 2<sup>ND</sup> lying in Section 25, Township 15S, Range 28W, Texarkana, Miller County, Arkansas. ROW is approximately 60' wide, 1354' in length and contains .1.89 acres more or less.

Duke's Drive from Summit Drive to Manor Way Road. ROW lies South of Block 22/Lots 6-10 of WOOTENS 2<sup>nd</sup> lying in Section 25, Township 15, Range 28, Texarkana, Miller County, Arkansas. ROW is approximately 60' wide, 572' in length and contains .81 acres more or less.

Sunset Drive from Manor Way Road to undeveloped Penny Lou Lane. ROW lies South of Block 23/Lots 6-10 of WOOTENS 2<sup>nd</sup> lying in Section 25, Township 15S, Range 28W Texarkana, Miller County, Arkansas. ROW is approximately 60' wide, 520' in length and contains .68 acres more or less.

**REASON FOR REQUEST:** The applicant, his brother and Don and Kim Cowan own all property adjacent to the specified ROW's and wish to abandon the ROW in order to unify the property.

**EXISTING LAND USES:**

Site: ROW  
North: Residential and wooded  
East: Residential and wooded  
South: Residential and wooded  
West: Residential and wooded

**EXISTING ZONING:**

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

**COMPATIBILITY WITH EXISTING ZONING:**

The large rural tracts of land have only individual single-family homes with many streets that were platted and have not been developed and no plans know for doing additional development of the privately owned lots. All property adjacent to the abandonment has adjacent ownership to developed and undeveloped right of way for access.

**UTILITIES & TRANSPORTATION NETWORK:**

This property is currently zoned R-1 Rural residential **and has no utilities located in the ROW.**

Responses from utility companies when asked if they objected to the abandonment request or requested an easement:

**Summit Utilities** – Brandon Brooks, September 11, 2020

*“I have copied our maps and circled where I think your maps shows the abandonment. If I’m correct we are clear.”*

Response by Jamie Finley, City Planner – September 11, 2023

*“Yes, that is correct.”*

**AEP Swepco** – Cabe C. Bonner, August 28, 2023:

*“This is outside of SWEPCO’s service territory.”*

**REA** – David McDowell, September 6, 2023

*“Southwest Arkansas Electric (REA) will not be using the easements shown on the map and agrees to abandon them.”*

**Windstream** – Michael A. Latham, September 5, 2023:

*“Windstream follows SWREA power lines in this area.”*

**Cableone/Sparklight** – Joe Langley, August 28, 2023:  
*“We do have lines along this easement/ROW, and we would need to follow the power company in whatever direction they plan to move.”*

**TWU** – Kenneth L. Icenhower, August 28, 2023:  
*“At this time, no utility extensions into those areas are planned. Therefore, the Utility has no objections to Abandon/Vacate that ROW.”*

### **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:

- (1) (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, August 27, 2023, edition of the Texarkana Gazette.

ROW abandonments do not require additional notification as all adjacent property owners are petitioners.

**OPPOSITION:** None

**PLANNING COMMISSION CERTIFICATION:**

The Planning Commission met on September 12, 2023, and certified recommendation to abandon the unused, undeveloped public easement described previously in this document under "Legal Description". A motion was made by Vice-Chairperson Mike Jones seconded by Commissioner Clyde "Boots" Thomas with a roll call vote of 6-0, with one absence.

Anderson Neal, Chairperson	Yes
Mike Jones, Vice Chairperson	Yes
Adger Smith	Yes
Bertha Dunn	Yes
Jason Dupree	Yes
Randall Hickerson	Absent
Boots Thomas	Yes

**BOARD ACTION  
REQUESTED:**

The City Board is requested to:

Adopt a resolution to set a date for a hearing on October 2, 2023.

Hold a public hearing October 16, 2023.

To abandon the ROW, 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.