

**MEETING OF THE
BOARD OF DIRECTORS
OF THE CITY OF TEXARKANA, ARKANSAS
FEBRUARY 6, 2017**

MEMBERS PRESENT:

The Board of Directors of the City of Texarkana, Arkansas, convened in regular session at 6:00 PM on Monday, February 6, 2017.

ROLL CALL:

Mayor Ruth Penney Bell asked the Clerk to call the roll and the following Board Members were present: Mayor Bell, Assistant Mayor Barbara S. Miner, and Directors Laney J. Harris, Tim Johnson, Travis Odom, Terri Peavy and Linda Teeters. Also present were City Manager Kenny Haskin, City Attorney George M. Matteson and City Clerk Heather Soyars. [Director Teeters arrived at 6:05 PM.]

Mayor Bell asked it be duly noted there was a quorum present for tonight's meeting.

INVOCATION:

The invocation was given by Assistant Mayor Barbara Miner.

PLEDGE OF ALLEGIANCE:

Assistant Mayor Barbara Miner led everyone in the Pledge of Allegiance.

COMMENTS FROM THE MAYOR:

Welcome:

Mayor Bell welcomed everyone to tonight's meeting.

Under the Bridge:

Mayor Bell said she and Assistant Mayor Miner attended the event, Under the Bridge last weekend. The event was to bring awareness to the homeless and hungry people in our City. Mayor Bell said she was grateful she had pneumonia, because she could not stay in a box due to the extreme cold weather.

Chamber of Commerce:

Mayor Bell said she attended a program on crime arranged by The Chamber of Commerce Director, Mike Malone. She found out South Padre Island, Texas was one of the worst criminal element towns, and this was not true. Mayor Bell said the results had been calculated incorrectly. They were calculated on a biased plane. She said the information in the paper about Texarkana being high in crime was not correct. Texarkana, Arkansas was really a very safe City.

[Director Teeters arrived at the meeting at 6:05 PM.]

Finance Department Recognition:

Mayor Bell said there was a nice tribute to the Finance Department last week; Ms. Henderson was lauded for her bookkeeping and everything her department did. She asked Ms. Henderson to come to the podium and tell everyone exactly what the award was for so she and her entire department could be recognized.

Finance Director TyRhonda Henderson said the Finance Department received the GFOA Excellence in Recording Award for their audit. She said the audit had to be prepared in a certain manner with certain requirements in order to receive the award and they had received the award for the last number of years. Ms. Henderson said if it were not for the awesome employees in the Finance Department we would not be able to receive this award year after year.

Mayor Bell said she knew the ladies in the Finance Department and she could not see how eight women could work together harmoniously and did such a beautiful job. She said the City appreciated the work the department did and she was so grateful Ms. Henderson and her department received the honor.

Board Meeting Procedure:

Mayor Bell briefly reviewed the board meeting procedures and pointed out the Agenda Item Cards, Citizens' Communication Cards, and agendas along the rail for tonight's Board meeting. The Mayor asked any audience member interested in speaking at tonight's Board meeting to complete one of the cards and turn the card in to the City Clerk. She said this would help run an organized meeting and allowed the Clerk to have the necessary information for the meeting minutes. She stated any citizen may comment on any item on the agenda and express their desires, but would be limited to five minutes.

QUESTIONS FROM DIRECTORS AND OTHER

BUSINESS:

Mayor Bell asked if the Directors had any questions or comments.

No one came forward.

PRESENTATION(S):

City Employee Service Awards:

Mayor Bell presented awards to Christopher Manley, William Holt, Christopher B. Keahey, Jason A. Cherry, and Montri Jones. They each received a City of Texarkana, Arkansas Employee Service Award and Texarkana, Arkansas City pin. The award recognized Mr. Manley for 20 years of service with the Bi-State Justice Building; Mr. Holt, Mr. Keahey and Mr. Cherry for 15 years of service with the Fire Department; and Mr. Jones for 25 years of service with the Fire Department. They accepted the honor and thanked Mayor Bell, the Board of Directors, and the City Manager.

Mayor Bell commented Wanda Davis, David Mills, Jr., Nathaniel A. Ford, and Patrick L. Nelson were unable to attend tonight's meeting and she would make sure they received their awards and pins. Ms. Davis would have been recognized for 10 years of service with District Court; Mr. Mills for 10 years of service with Texarkana Water Utilities; Mr. Ford for 10 years of service with the Bi-State Justice Building; and Mr. Nelson for 20 years of service with the Bi-State Justice Building. Mayor Bell thanked all the City employees for their service to the City and its citizens.

Dental Awareness Month:

Mayor Bell read a proclamation announcing February as Dental Awareness Month. She presented the proclamation to Dr. Regina Ferguson with Smiles of Arkansas Dental Center. Also in attendance from Smiles of Arkansas Dental Center was James Jackson, Public Relations.

CONSENT AGENDA:

Director Odom moved to approve the consent agenda. The motion was seconded by Director Harris and carried unanimously. The items approved by consent were:

MINUTES:

The minutes approved were of rescheduled regular meeting January 3, 2017 (tabled January 17, 2017) and of the reschedule regular meeting January 17, 2017.

RESOLUTION NO. 2017-7:

Resolution No. 2017-7 authorized the Depository Board to execute the 2017 depository agreement with Commercial National Bank.

RESOLUTION NO. 2017-8:

Resolution No. 2017-8 authorized the City Manager to enter into an agreement with the City of Texarkana, Texas for police CID secretarial services.

RESOLUTION NO. 2017-9:

Resolution No. 2017-9 authorized the City Manager to execute a contract for the Millwood Water Treatment Plant (WTP) Settling Basin Concrete Repairs with Mid-Continental Restoration Company, Inc. of Fort Worth, Texas.

REGULAR AGENDA:

ORDINANCE NO. 6-17:

An ordinance was introduced to be entitled, "An Ordinance Amending Ordinance No. K-286, as Amended; and for Other Purposes". Said ordinance rezoned property located at 215 E. Front Street from W-1 Warehousing and Wholesale to C-2 Central Business district in order to develop commercial opportunities and apartments.

Director Peavy recused herself from discussion of this ordinance.

City Manager Dr. Kenny Haskin said this was a rezoning request by 1894, LLC.

Interim City Planner Mary Beck said this request by 1894, LLC, owner David Peavy, sought a rezoning of his property located at 215 E. Front Street from W-1 Warehousing and Wholesale to C-2 Central Business District in order to develop commercial opportunities and apartments. The Planning Commission considered this action to be beneficial to the business community located downtown and no opposition to this request was received from citizens or others. One property owner voiced support of the request. If the rezoning was approved a conditional use permit may be sought in order to construct ground level apartments. The legal description of the property was all of Lots 18-24, Block 75, Original City, Texarkana, Miller County, Arkansas. The

property was located in the Original City Historic District and was adequately served by all utilities and transportation systems. The Board action requested was to consider an ordinance rezoning this property from W-1 Warehousing and Wholesale to C-2 Central Business.

Mayor Bell asked if any of the Board members had any questions or would anyone like to add anything.

Dr. Haskin asked how long the building had been dormant.

Ms. Beck said she knew back in 2008, the previous owners ceased the plans they were working on.

Mayor Bell said there were probably no businesses in the building since the sixties or seventies.

Ms. Beck said if the building did not have such great bones it would not be able to be renovated to the point it would be.

Dr. Haskin said it was safe to say the building had been dormant for roughly thirty years.

Assistant Mayor Miner asked if it were the Ritchie Grocery or the old Union Supply.

Ms. Beck said it was the Ritchie Grocery.

Mayor Bell said the old Union Supply was down another two blocks, and Ritchie Grocery faces Spruce Street.

Director Teeters asked if behind the building was where the City held Railfest.

Mayor Bell said yes.

Ms. Beck said Mr. Peavy had talked about using part of the location as a community improvement, as well as a personal investment. She said the large arched doors were designed to load and unload produce and the dock was in place of a City sidewalk. Ms. Beck said there was a grand plan to the building but the rezoning was the first step, if the building was not rezoned it could only be used for storage.

Mayor Bell said there was now a great deal of foot traffic on the weekends in the downtown area. She said one of the reasons was due to Mr. Mellette and his music studio; there were also many shops and an old telephone booth people came to see

downtown. Mayor Bell said anything the City could do to restore downtown should be done.

David Mellette, 205 E. 35th Street, said the building was a magnificent structure and perhaps the most architecture unique building downtown. He said as a young man he used to ride his bicycle downtown near the building and it was deliciously cool there due to the ice and the smell of the produce. It was a place of hustle and bustle in the mornings. He said it tore his soul apart to watch the building deteriorate but he thanked God the previous owners kept the roof up. Mr. Peavy was kind enough to let him walk through the building, and the upstairs was going to be marvelous. Mr. Mellette said the building would be his neighbor and he wanted to see the stage there, wanted to hear music coming from the building, and wanted to share events with them. He hoped Mr. Peavy would be given every opportunity to succeed. Downtown was on the move and we needed to keep the momentum going.

Mayor Bell asked if any Board or audience member had any questions or comments concerning this item. No one came forward.

Director Harris moved the ordinance be read in abbreviated form and the ordinance be placed on its first reading. The motion was seconded by Director Odom. The Clerk called the roll and the following vote resulted: Directors Harris, Johnson, Miner, Odom, Teeters and Bell voted aye. Director Peavy abstained. The Mayor declared the motion carried, as there were six ayes and one abstention.

The ordinance was read the first time in abbreviated form.

Director Harris moved the ordinance be read in abbreviated form and the ordinance be placed on its second reading. The motion was seconded by Director Teeters. The Clerk called the roll and the following vote resulted: Directors Harris, Johnson, Miner, Odom, Teeters and Bell voted aye. Director Peavy abstained. The Mayor declared the motion carried, as there were six ayes and one abstention.

The ordinance was read the second time in abbreviated form.

Director Johnson moved the ordinance be read in abbreviated form and the ordinance be placed on its third and final reading. The motion was seconded by Director Odom. The Clerk called the roll and the following vote resulted: Directors Harris,

Johnson, Miner, Odom, Teeters and Bell voted aye. Director Peavy abstained. The Mayor declared the motion carried, as there were six ayes and one abstention.

The ordinance was read the third in final time in abbreviated form.

Assistant Mayor Miner made the motion to adopt the ordinance. The motion was seconded by Director Odom. The Clerk called the roll and the following vote resulted: Directors Harris, Johnson, Miner, Odom, Teeters and Bell voted aye. Director Peavy abstained. The Mayor declared the ordinance adopted, as there were six ayes and one abstention.

CITIZEN COMMUNICATION:

Mayor Bell asked if anyone in the audience would like to speak on any subject up to a total of five minutes.

Kim Miller, 9201 Sanderson Lane, said she was at the Board meeting to discuss dogs on chains. There was a dog chained right now which prompted her to come forward. The dog had been on an eight foot chain for years. She said the ordinance the City had right now stated the owners were allowed to put a dog for an unlimited time on an eight foot chain. She had done some research and the City of Texarkana, Texas, had banned chaining. There were several options to take place instead of the dog continuously being on a chain. She was not asking for the dogs to roam free on the streets. She wanted to allow these helpless animals the opportunity to run. Texarkana, Texas, Fort Smith, Arkansas, and Little Rock, Arkansas, had an ordinance stating a dog could be put on trollies so the dog had the opportunity to run back and forth, rather than living their entire life on a heavy chain. She asked the Board to really take the issue under consideration, and the City really needed to change the ordinance. Ms. Miller said our visitors coming into Texarkana, Arkansas, did not want to see these dogs on chains, and the City should want to portray a wonderful, wholesome City. She said this was a huge issue and needed to be addressed.

Director Peavy asked Ms. Miller what those cities she listed had included in their ordinance.

Ms. Miller said she had copies stating what the ordinance said, but she knew the Texarkana, Texas, ordinance said you could not restrain, tethering or chain an

animal. One could put the animals on a trolley, and one could leave the animal on a chain for short periods of time.

Director Peavy asked who would keep track of how long the dog had been chained.

Ms. Miller said she did not have the answer to the question, but she thought the City should begin somewhere. She felt the City should keep track of the dogs being on chains and look for different options such as a trolley.

Director Peavy asked what a trolley was.

Director Teeters said think about a clothes line, on the end the line was locked onto the tree; the trolley had a device letting it slide and would let the dog run around the back yard. She said the dog would have fifty to seventy feet to run instead of only eight feet on a chain.

Ms. Miller said there was a dog right now she had called the animal shelter on, and there was nothing they could do because the owners were within their rights, so she flagged down a police officer and asked what she could do. She said he told her to start with the City Council and see if they could look into the issue.

Mayor Bell said she knew what Ms. Miller was talking about, and she could not believe the owners of these dogs were calling them their pets; you should not have a pet for any reason on a chain. She said even a trolley was better, but everyone who invested in a pet needed to have a yard.

Director Peavy asked how the Board would proceed with her request.

Ms. Miller said the documents she had prepared might be a stepping stone to see how other Councils had written their ordinances.

Mayor Bell asked Ms. Miller to give her handouts to the City Clerk, Heather Soyars, and she would pass them out for her. She had seen this in the City and she was wondering why this was ever allowed in the first place.

Ms. Miller thanked the Board for allowing her to speak on behalf of this matter.

Mayor Bell said this issue did need to be addressed and asked Mr. Lokey, the Animal Shelter Director, if he had any opinions on the matter.

Animal Care and Adoption Center Director Charles Lokey said this was an issue he did not like. Unfortunately there were several people around town with

chained up animals. He said the shelter did check on those animals quite often and if he had to go talk to someone more than three times about the size of the chain or the way they were keeping the animal, he ended up taking the animal. Another big issue he saw every day was dogs on extremely heavy chains, damaging their necks and hurting their backs. And this was not acceptable. He said the acceptable chains could be no less than eight feet long and small enough to be comfortable so the dog did not have to drag it across the yard. He said unfortunately Ms. Miller was correct, when his office received calls and they went to the homes, the shelter could do nothing because of the ordinance.

Mayor Bell asked Mr. Lokey what had been his experience of finding a chained up dog in relationship to fighting dogs.

Mr. Lokey said when he went into a yard and found a dog on an extremely heavy log chain dragging a Chevy rear-end, seven or eight cinder blocks, or a tractor tire around, those were usually fighting dogs. He said this was when he started another process.

Ms. Peavy asked if the dogs were chained in the front or back yard.

Mr. Lokey said he found dogs chained everywhere inside the City limits.

Ms. Teeters said yes. She saw one every morning going to work. She and Ms. Miller work together and Ms. Miller approached her a couple weeks ago and she also said you would need to go before the Board and address it. Ms. Teeters said there was a dog at the corner of Jefferson Avenue and the dog was there 24 hours a day, seven days a week, rain, snow, it did not matter and it broke her heart.

Mr. Lokey said he knew which dog she was referring to and said last year when the ordinance was changed in reference to dangerous animals, prior to the change, the dog had bitten someone. He stated his personal opinion, if you could not have an animal in a comfortable place for it to run and be safely kept on your property, then maybe you did not need an animal.

Mayor Bell said she totally agreed and it was not right to subject an animal to being on a heavy chain, it was cruelty.

Director Harris asked what if someone got a smaller chain and the chain broke, then the dog got out and bit someone. He said what would you do based on the statement Mr. Lokey said in reference to the chain being too big.

Mr. Lokey said there was a difference between a quarter inch chain weighing around 10 lbs., versus the chain he pulled off a dog weighing 120 lbs. and the dog weighed 42 lbs.

Ms. Teeters said if the Board changed an ordinance and if the owner still put the dog on a chain and the dog got out, the owners would be responsible not Animal Control. She said Animal Control was there to enforce the law however they saw fit. If the dog broke the chain and got out, it would not be the City's fault.

Mr. Harris said if Mr. Lokey requested a smaller chain then you would have the chance of the dog breaking loose.

Mr. Lokey said the chain had to be sufficient in size according to the size of the animal. He said he had had issues with chains grown into the necks of the dogs. The owner would put a chain on but never adjust the chain as the dog grew.

Mayor Bell said she just became aware of something and would like the City Manager to explain.

Dr. Haskin said this issue should have been brought to his office so he could discuss the issue in house first to try to see if we could come to a resolution, and bring an ordinance reflecting the change.

Mayor Bell said once the issue had been addressed, then Dr. Haskin could bring it to the Board. She said Dr. Haskin would contact all parties involved plus the Attorney to make sure the Board was appropriately approaching the issue. She thanked Ms. Miller for bringing the issue to the Board's attention.

Director Odom said the trolley would have to be strong enough to restrain a large animal, just a clothes line most of the time would not work. He said it should probably be a cable.

Mr. Lokey said a good tethering system consists of aircraft grade cable and it was made to withstand the weight.

Mayor Bell said she had a terrible story to tell; up at her cabin she had a dog and she loved him dearly. She said here in town she had an eight foot high chain link

fence and his pin was bigger than the board room. When she took the active dog to the cabin, he wore down the big hook he was on and got off and ran out on to Highway 41 and was hit. It was tragic. The safest thing was to have a fenced in yard; no one else should have to enjoy your animal. She did not turn her animals out on her neighbors, and she did not think she should have to clean up after someone else's animal. She said we needed to talk about this issue further and it needed to go through the City Manager and go from there. She thanked Ms. Miller and everyone for coming and bringing the issue to the Board's attention.

David Mellette, 205 E. 35th Street, said he was letting the Board know the Scott Joplin Regional Musical Heritage Center, in cooperation with the Scott Joplin Support Group and a number of area NPOs, Main Street and TRAC, were working together to produce the first of what was expected to become annual, Scott Joplin International Centennial Celebration to be held March 31, 2017, through April 2, 2017. He said Scott Joplin events were going on worldwide, and he was highly disturbed nothing had been planned in his home town. Mr. Joplin was born in Texarkana, Texas, and raised in Texarkana, Arkansas. Mr. Mellette said Scott Joplin learned his music here. He was exposed to Swamp Poodle and Professor Vise. Texarkana was where he put those things together and created Ragtime as we know it. Mr. Mellette said he hoped the event would grow year after year; Texarkana had something no one else had, location, location and a lot of great venues. He said he was going to leave with the City Clerk a brief synopsis of what they were working on at this point. He intended to highlight one of the first events held inside the Municipal Auditorium. He said the Auditorium was a temple of music in Europe, one of the events they were planning to bring to Texarkana was called the Texarkana Trio, and they were from Holland. But the group was coming because they wanted their picture taken on the Texarkana Municipal Auditorium stage. He intended to honor several music legends on the Municipal Auditorium stage and he intended to put another plaque on the Walk of Fame. He said the event was not going to be just about Ragtime; Texarkana's music heritage was not just about Ragtime. Ragtime would not have come about if it were not for Boogie Woogie out of the Swamp Poodle. Rock and Roll and

Jazz might exist but they would be very different without Boogie Woogie. He said Boogie Woogie originated somewhere between here and Marshall and spread to the United States. He intended to have national and international press cover the events he was planning. He also said he hoped the issue with the dogs would become a felony; he came home one day and found his dog that was tied up hanging from a tree.

Mayor Bell said Scott Joplin went to the Orr School off 9th Street, and the lower floor of the school still existed, and she sat by one of his relatives when they were working on the new mural, LeErma was sharp as a tact and still lived independently.

Mr. Mellette said he was trying to get money to rebuild the school, second floor and all.

Mayor Bell said Orr School was one of the few African American schools to exist.

Mr. Mellette said it would be a tribute to the African Americans and Scott Joplin. He had some people from Britain who were almost in tears standing in front of the school; they did not know the school existed. He also found where Scott Joplin lived, 618 Hazel Street; and he hoped to find the church where he was a music director for a short time. Mellette was working to uncover Scott Joplin's past.

Mayor Bell said the City had a rich heritage and for those who were not aware of it, there was a group working on the restoration of the Municipal Auditorium. Everyone from Louis Armstrong, May West, Elvis Presley, Johnny Cash, Jerry Lee Lewis, had performed on the stage. This needed to be the City's driving force to let the world know what we had in Texarkana, Arkansas.

Director Harris said Texas side had 3rd Street named after Scott Joplin and he thought the street ran through to the Arkansas side. He was asked about naming the street on the Arkansas side Scott Joplin also.

Mr. Mellette said they were looking forward to naming a street on both sides of the town permanently after Scott Joplin.

Director Harris said February was Black History Month and on February 18, 2017, was the 26th Annual Black History Parade. He also mentioned the 23rd Annual Tribute to African American Women banquet, and tickets were available at Texarkana College for \$50.00.

Mayor Bell announced the 2017 City calendar of events.

EXECUTIVE SESSION:

Mayor Bell announced the Board would recess into Executive Session [7:03 PM].

MEETING RECONVENED:

The meeting was reconvened by the Mayor following the Executive Session [7:32 PM]

RESOLUTION NO. 2017-10:

Resolution No. 2017-10 was read in its entirety. Said resolution made appointments to various boards and commissions.

Board/Commission:

Appointee:

| | |
|--|---|
| Board of Adjustment | Ricky Pondexter |
| City Beautiful Commission | LaTanya Blair |
| Electrical Board of Review | A.T. Buddy Shephard |
| Electrical Board of Review | Roger Douglas |
| Electrical Board of Review | Director Travis Odom |
| Heating & Air Conditioning Board of Review | Jeff Castle |
| Historic District Commission | James Gibbs for Greg Gallagher's unexpired term 1-17-2018 |
| Historic District Commission | Beverly J. Rowe, Ph.D. |
| Historic District Commission | Doris Davis |
| Housing Authority | John C. Hoy |
| Library Board | Linda Register |
| Planning Commission | Thomas Scott |
| Planning Commission | Randall R. Hickerson |

Planning Commission

Adger Smith

Plumbing Board of Review

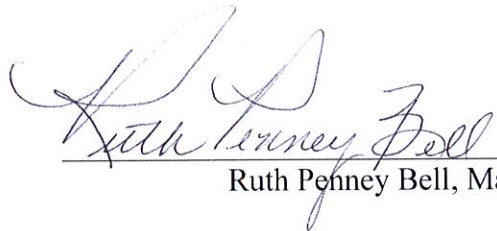
Jackie Kirkland

Director Johnson, seconded by Director Odom, moved to adopt the resolution. The Clerk called the roll and the following vote resulted: Directors Harris, Johnson, Miner, Odom, Peavy, Teeters, and Bell voted aye. The Mayor declared the resolution passed, as there were seven ayes and no nays.

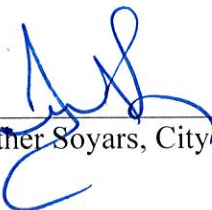
ADJOURNMENT:

Director Johnson, seconded by Director Odom, moved to adjourn the meeting. The Clerk called the roll and the following vote resulted: Directors Harris, Johnson, Miner, Odom, Peavy, Teeters, and Bell voted aye. The Mayor declared the meeting adjourned, as there were seven ayes and no nays.

The meeting adjourned at 7:38 PM.


Ruth Penney Bell, Mayor

ATTEST:


Heather Soyars, City Clerk