

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

MEMBERS PRESENT:

The Board of Directors of the City of Texarkana, Arkansas, convened in regular session at 6:00 PM on Monday, March 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, 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 Tim Johnson was absent.

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

INVOCATION:

The invocation was given by Director Linda Teeters.

PLEDGE OF ALLEGIANCE:

Director Linda Teeters led everyone in the Pledge of Allegiance.

COMMENTS FROM THE MAYOR:

Welcome:

Mayor Bell welcomed everyone to tonight's meeting.

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.

Director Tim Johnson's Absence:

Mayor Bell commented Ward 3 Director Tim Johnson was absent tonight because he was visiting his first grandchild, Truvie Pearl.

Government Students:

Mayor Bell recognized Texas High School students Cullen Schoen and Zack Moore. The Mayor commented the students were at tonight's board meeting as part of Mr. Littman's Government Class. Mayor Bell welcomed them, said she hoped they learned a lot from tonight's meeting, and encouraged them to contact her if they had any questions about the board meeting.

Director Linda Teeters said they were also former students of hers.

Chamber of Commerce Little Rock Trip:

Mayor Bell commented she and Director Peavy attended a trip to the Capital, Little Rock, Arkansas, hosted by the Texarkana USA Chamber of Commerce. She said they met with the Lt. Governor, Governor, and State Representatives.

Bull riders:

Mayor Bell said this past weekend she welcomed the bull riders to town. She said they brought a lot of people to the community.

QUESTIONS FROM DIRECTORS AND OTHER BUSINESS:

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

Director Harris wanted to ask the Texarkana Water Utilities (TWU) Executive Director about the taste and smell of the City water.

TWU Executive Director J.D. Phillips said the taste and smell was coming from the geosmin in the soil of the lake. When TWU killed the geosmin, it created the earthy smell. Texarkana received six inches of rain on Christmas Eve and it stirred Lake Wright Patman up like a soup bowl. Geosmin got into the water plant and they had to shut the water plant down. TWU went to Millwood Water Plant for eight weeks and the citizens got used to drinking Millwood water. Millwood water tastes differently from Lake

Wright Patman water. TWU put Lake Wright Patman back in service because the Millwood Water Plant would be undergoing maintenance. TWU pumped the raw water line for four days before the water received treatment. He said human noses were very sensitive to geosmin, if you put one teaspoon of geosmin in 200 Olympic-size swimming pools, you would still be able to smell and taste the geosmin. He said at his house he was on Lake Wright Patman water and he did not have the smell and taste anymore. He said it was like ripples in a pond. It was slowly getting out. If citizens were watering their yards it would help speed up the process but they were not this early in the year. TWU had been flushing water constantly but it took time to get all the geosmin out of the water. He apologized for the inconvenience and reassured the water was safe to drink. He said the geosmin was working its way out.

Director Teeters said she had lived in Texarkana for 52 years and said the citizens had grown up with the geosmin and it was not something new. We dealt with the issue 2-3 times a year.

Mayor Bell said it seemed this time the smell and taste had lasted a bit longer.

Mr. Phillips said the reason was this time of year was not a high usage time for water. TWU pumped 10-11 gallons of water a day and in the summer they pumped 28 gallons a day. We were not getting the geosmin out of the system as quickly as he would like to.

Mayor Bell said she hoped the City could switch over to the Millwood Water Plant.

Mr. Phillips said the item approved in the last Board meeting would require Millwood Water Treatment Plant to be shut down for repairs. He said no one worked harder than Rick Barton the Water Production Manager and he had lost sleep over this issue. Mr. Phillips said he had been answering phone calls and emails for a while on the issue and TWU was working as hard as it could to resolve the issue.

Director Peavy complimented Media Manager Eric Ethridge on the City website. She said there were a lot of new businesses mentioned on the website.

Mr. Ethridge said City Manager Kenny Haskin always let him know when a new business opened in Texarkana, Arkansas.

No one else came forward.

PRESENTATION(S):

City Employee Service Awards:

Mayor Bell presented awards to Marian Holder, Fire Chief David Fletcher, James Daffern and Richard Hutchinson. They each received a City of Texarkana, Arkansas Employee Service Award and Texarkana, Arkansas City pin. The award recognized Ms. Holder for 5 years of service and Chief Fletcher for 25 years of service with the Fire Department; and Mr. Daffern for 5 years of service and Mr. Hutchinson for 25 years of service with Texarkana Water Utilities. They accepted the honor and thanked Mayor Bell, the Board of Directors, and the City Manager.

Mayor Bell commented Brandon Ferguson and Michael Sorrell were unable to attend tonight's meeting and she would make sure they received their awards and pins. Mr. Ferguson would have been recognized for 5 years of service and Mr. Sorrell would have been recognized for 15 years of service with Texarkana Water Utilities. Mayor Bell thanked all the City employees for their service to the City and its citizens.

IHOP's National Pancake Day and Shriner's Hospitals for Children Day:

Mayor Bell read a proclamation announcing March 7, 2017 as "IHOP's National Pancake Day and Shriner's Hospitals for Children Day."

Shiner President Howard Walraven said the Shriner's had 22 hospitals in the United States and they were funded by people donating to the cause. He had served on the Board of Directors in Shreveport, Louisiana for 3 years and they just bought an \$800,000.00 x-ray machine. This machine would help eliminate the amounts of radiation the children received each time they were x-rayed. The x-ray machine was the only one in a 6 state area and the money raised from Pancake Day would help pay for the machine.

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 the rescheduled regular meeting February 21, 2017.

RESOLUTION NO. 2017-12

Resolution No. 2017-12 set the date for a public hearing in order to adopt an ordinance to abandon an undeveloped alley.

RESOLUTION NO. 2017-13:

Resolution No. 2017-13 accepted the 2016 Audit Engagement Letter prepared by the accounting firm of BKD, LLP.

RESOLUTION NO. 2017-14:

Resolution No. 2017-14 appointed Heather Soyars as Acting City Manager to perform the duties of City Manager during such times when the City Manager was absent or unable to perform his duties.

REGULAR AGENDA:

**ORDINANCE AMENDING, UPDATING, & REVISING
PORTIONS OF CHAPTER 5 OF THE CODE OF
ORDINANCES IN REFERENCE TO DOGS ON CHAINS
(SECOND READING):**

An ordinance was introduced to be entitled, “An Ordinance Amending, Updating And Revising Portions Of Chapter 5 Of The Code Of Ordinances Of The City Of *Texarkana, Arkansas*; And For Other Purposes.” Said ordinance would amend, update, and revise portions of Chapter 5 of the *City of Texarkana, Arkansas Code of Ordinances* in reference to dogs on chains.

Animal Care and Adoption Center Director Charles Lokey asked if anyone had any questions.

Mayor Bell said she had a question from the media today asking why. She said this was a humanitarian push, the City was not out to get anyone. If you were a good pet owner the City was thrilled and they were not looking for a reason to take someone’s animal. The City wanted the animals to be treated humanely and we did not want to have to enjoy someone else’s pet. This ordinance was not something to try and get the citizens, there were misconceptions out there. She said this issue was brought to the attention of the Board over an observed case by a citizen and Director Teeters. This ordinance was nothing different from what other Cities our size and in our area had.

Director Harris asked if a warrant was necessary to obtain a citizen's animal off their property and at what point would the court be involved. He said he was under the assumption anytime you operated under the umbrella of the Police Department you would need a warrant to come and take something off citizen's property. He said there needed to be an education period before Animal Control started taking animals off the property. Director Harris said he was not for the mistreating of animals; his issue was how the ordinance was written and having a warrant. He said an animal running at-large would not be on someone's property so you would not need a warrant for seizure of the animal. In the case laws he read, once an animal had bitten someone the City had the right to remove the animal without a warrant due to health reasons.

Mr. Lokey said this was not a back door attempt to take someone's dog away just because we wanted to.

Mayor Bell said Animal Control did not have the room.

Mr. Lokey said Animal Control did not have the room or the finances to do so. His primary focus was to help and educate citizens. He had worked with numerous people giving chance after chance to fix the problem. Animal Control did not take pleasure in seizing an animal; usually when an animal was seized it was a pretty ugly scene. He said sometimes the animal was half dead or it had been burned. There were a number of things and he had plenty of photos he could let the Board see and it would curl their toes, but he would not do that. Mr. Lokey said Animal Control did not just want to come and take your animal. They would work with the pet owners, but you could only work with the pet owners so long and then you would have to take action. He said in reference to taking an animal without a warrant, there were times when Animal Control would obtain a warrant and the Police Department would go with them to seize the animal. However, there were times when Animal Control would be contacted to immediately come and look at an animal. With his 20 years' experience Mr. Lokey said he decided whether or not the animal would be taken. He was not taking the animal just because. Normally the animal would be taken because it needed to get out of the situation it was in or the animal needed to be taken to the vet. He said under the law Animal Control was obligated to do so. If the animal was taken, the owner of the pet would be going to court.

Director Teeters asked Mr. Lokey if he had the authority, without this ordinance in place, to take an animal without a warrant, even if it was on its own property, unchained and running loose. She said if her dog was in her front yard and someone felt threatened by her dog, Animal Control could come into her yard and take her dog without a warrant.

Mr. Lokey said yes. He also said the first thing they tried to do was make contact with the owner of the pet.

Director Teeters asked again if Animal Control had the right to seize a pet without a warrant.

Mr. Lokey said yes, but they also use common sense discretion. If there was a situation in which the owner could not be contacted, Animal Control would take the animal and leave a notice on the door.

Director Teeters asked if the ordinance the City was trying to pass had anything to do with a warrant because Animal Control already had the right to take the animal without a warrant.

Mr. Lokey said the new ordinance would not change anything about how Animal Control could seize an animal, with or without a warrant.

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

Director Odom moved the ordinance be read in abbreviated form and the ordinance be placed on its second reading. The motion was seconded by Assistant Mayor Miner. The Clerk called the roll and the following vote resulted: Directors Miner, Odom, Peavy, Teeters, and Bell voted aye. Director Harris voted nay. The Mayor declared the motion failed.

The ordinance was read the second time in its entirety.

Mayor Bell said the third and final reading of the ordinance would be March 20, 2017.

ORDINANCE NO. 9-17:

An ordinance was introduced to be entitled, "An Ordinance Waiving Competitive Bidding; Authorizing The City Manager And Texarkana Water Utilities To Purchase Utility Billing Computer Software, Installation, Conversion And Training; For Declaring

An Emergency; And For Other Purposes.” Said ordinance waived competitive bidding and authorized the City Manager and Texarkana Water Utilities (TWU) to purchase utility billing computer software, installation, conversion and training.

TWU Financial Director Jim Cornelius said TWU had been using the existing software since 1999, and was in need of an upgrade. TWU advertised for proposals on May 8, 2016, and May 15, 2016, in the Texarkana Gazette and Dallas Morning News for utility billing software, installation, conversion and training. Pursuant to said advertisement, five (5) proposals were received and evaluated by the Utility Billing (UB) Software Committee. From the five (5) proposals, the committee selected the top three (3) to further evaluate. Onsite software demonstrations were scheduled and performed by each of the three (3) finalists. Based upon the demonstrations, the committee unanimously selected the top finalist to return for a mini-demonstration. Committee members contacted some of CUSI’s current customers that were similar in complexity or type of services provided to our utility to verify their satisfaction, and all feedback indicated high client satisfaction. A team of committee members traveled to Seguin, Texas, and Brushy Creek, Texas, to meet clients face-to-face and observe the software in person. The team found the software to be well-functioning and well supported. The top finalist, CUSI, then performed an onsite GAP analysis study to determine if TWU was a good fit for its software and to determine how the utility could best leverage their software to garner any potential cost savings and efficiency while utilizing best practices. The total cost of the software, including installation, conversion and training was \$398,410.00, such amount being previously budgeted with the Arkansas portion not to exceed \$148,885.82.

Dr. Haskin asked out of the 5 proposals how many met Mr. Cornelius specifications.

Mr. Cornelius it was hard to say but he narrowed it down to 3 proposals.

Mayor Bell said the City knew the new software was needed and she was anticipating when the software was up and running so Director Odom would not get her bill. She said she was thrilled to know we were on the road to making fewer mistakes and said this was something the City needed to get as quickly as possible.

Director Teeters asked if the Texas-side had already voted on their portion of this.

Mr. Cornelius said it had not been voted on but it was presented last Monday.

Assistant Mayor Miner asked if the City was budgeted for the expense.

Mr. Cornelius said yes. This was something they had been trying to get for a long time.

Director Harris asked how the customer would save money going to the new software. He said some companies would offer a temporary credit when you signed up for online billing.

Mr. Cornelius said going to online billing would save around 51¢ per mailing customer. There were only 5% of the customers using online billing and they were saving over \$18,000.00 a year. If you bumped it up to 25% they would be saving \$46,000.00 a year just on postage.

Director Peavy asked if the company was able to customize with Texarkana being a border city.

Mr. Cornelius said yes. It had to be custom tailored to the City.

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, Miner, Odom, Peavy, Teeters, and Bell voted aye. The Mayor declared the motion carried, as there were six ayes and no nays.

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, Miner, Odom, Peavy, Teeters, and Bell voted aye. The Mayor declared the motion carried, as there were six ayes and no nays.

The ordinance was read the second time in abbreviated form.

Director Harris 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, Miner,

Odom, Peavy, Teeters, and Bell voted aye. The Mayor declared the motion carried, as there were six ayes and no nays.

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

Director Odom made the motion to adopt the ordinance. The motion was seconded by Director Harris. The Clerk called the roll and the following vote resulted: Directors Harris, Miner, Odom, Peavy, Teeters, and Bell voted aye. The Mayor declared the ordinance adopted, as there were six ayes and no nays.

EMERGENCY CLAUSE:

Director Odom, seconded by Director Teeters, moved to approve the emergency clause. The Clerk called the roll and the following vote resulted: Directors Harris, Miner, Odom, Peavy, Teeters, and Bell voted aye. The Mayor declared the emergency clause adopted, as there were six ayes and no nays.

CITIZEN COMMUNICATION:

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

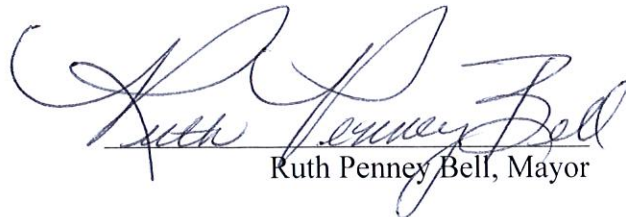
No one came forward.

Mayor Bell announced the upcoming Four States Auto Museum's 12th Annual Spring Car Show celebrating the 50th year of the Camaro 1967-2017. There would be door prizes and food concessions.

ADJOURNMENT:

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

The meeting adjourned at 6:56 PM.



Ruth Penney Bell, Mayor

ATTEST:



Heather Soyars, City Clerk