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**REGULAR MEETING OF THE
BOARD OF DIRECTORS
OF THE CITY OF TEXARKANA, ARKANSAS
APRIL 17, 2017**

MEMBERS PRESENT:

The Board of Directors of the City of Texarkana, Arkansas, convened in regular session at 6:00 PM on Monday, April 17, 2017.

ROLL CALL:

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

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

INVOCATION:

The invocation was given by Mayor Ruth Penney Bell.

PLEDGE OF ALLEGIANCE:

Mayor Bell led everyone in the Pledge of Allegiance.

COMMENTS FROM THE MAYOR:

Welcome:

Mayor Bell welcomed everyone to tonight's meeting. She said she appreciated the attendance of the City department heads and Chamber of Commerce President/CEO Mike Malone.

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.

Texarkana College:

Mayor Bell attended an event at the Texarkana College at TexAmericas Center with United States Senators John Cornyn, R-TX and John Boozeman, R-AR. The Red River Army Depot partnered with the college for the students to learn engine repair on various military vehicles.

Watersprings Ranch:

Mayor Bell said she and several Directors attended a recognition dinner at Watersprings Ranch. The Ranch provided Christian based, long-term residential group homes for children in need who have been abused, neglected and abandoned.

Good Sam's Spring Samboree:

Mayor Bell said she and her husband attended the Good Sam's Spring Samboree at the Four States Fairgrounds. It was a weeklong event that brought many campers and vendors to the area.

Leadership Texarkana:

Mayor Bell said she and several other Directors attended the Leadership Texarkana 5th Annual Lunch with Leadership Initiative for Texarkana (LIFT). The lunch honored local citizens with Awards for Community Leadership and Director Harris was a nominee.

Arkansas State Treasurer:

Mayor Bell attended an event with Arkansas State Treasurer Dennis Milligan who said his predecessor left the treasury with \$18 million. She said with Mr. Milligan as Treasurer, the treasury had over \$50 million at the end of the year.

Wilbur Smith Rotary Club:

Mayor Bell said she also attended the Wilbur Smith Rotary Club's 100 Year Celebration.

QUESTIONS FROM DIRECTORS AND OTHER

BUSINESS:

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

No one came forward.

CONSENT AGENDA:

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

MINUTES:

The minutes approved were of the regular meeting March 20, 2017, (Tabled April 3, 2017), and the minutes of the regular meeting April 3, 2017.

RESOLUTION NO. 2017-18:

Resolution No. 2017-18 authorized and directed the City Manager to submit a Non-Motorized Trails reimbursable grant application to the Arkansas Highway Transportation Department (AHTD) Arkansas Recreational Trails Program (RTP) to extend the Nix Creek Walking Trail System (Nix/Jones Creek).

RESOLUTION NO. 2017-19

Resolution No. 2017-19 authorized and directed the City Manager to submit a Non-Motorized Trails reimbursable grant application to the Arkansas Highway Transportation Department (AHTD) Arkansas Recreational Trails Program (RTP) to extend the Nix Creek Walking Trail System (Seibert Trail).

REGULAR AGENDA:

RESOLUTION NO. 2017-20:

The resolution was read in its entirety. Said resolution would condemn fifteen (15) substandard residential structures and one (1) substandard non-residential structure.

Mayor Bell opened the public hearing.

Chief Building Official Nina Walker said 3 properties were to be removed from the condemnation resolution; 2306 Delaware Street received a permit to demolish the structure, 926 Grand Avenue and 920 Locust Street received permits to have repairs made to the structures. She said the Public Works Department was asking the Board of Directors to issue orders for the condemnation of twelve (12) substandard residential

structures and one (1) substandard non-residential structure listed below. The owners of the properties had been notified the structures were in violation of the Arkansas Fire Prevention Code and the International Property Maintenance Code. Little or no work had been done on the structures and the allowed time period had lapsed for the owners to voluntarily bring the structures into code compliance. The Public Works Department had attempted to notify, by certified mail, the last owner of record of each property informing them the Board of Directors would consider declaring these structures a nuisance during the April 17, 2017 meeting.

It was requested the Board of Directors conduct a public hearing, consider a resolution declaring these structures a nuisance, and order the condemnation of the twelve (12) substandard residential structures and one (1) substandard non-residential structure in accordance with Section 11-87 of the *Code of Ordinances*, City of Texarkana, Arkansas. The City would provide a thirty-day notice to property owners of condemnation by the Board of Directors. If the house, building or structure constituting a nuisance had not been torn down and removed or otherwise abated within thirty days after posting a copy of the resolution at a conspicuous place thereon, then the house, building or structure shall be torn down and removed by the City in accordance with Section 11-90 of the *Code of Ordinances*, City of Texarkana, Arkansas. The City would notify the property owners at least ten (10) days before the City began demolition to allow the owners time to remove any personal items.

Henry Williams, 1405 Hancock Street, owner of 1301 Booker Street said he wanted to save his house. When his wife died back in 1989, he went into a deep hole and had some problems. He went to jail about three times for doing mechanic work on cars in his yard. He left town in 2007, and went to Iraq to work for the government and now he was back and wanted to save his house and give it to one of his grandkids.

Mayor Bell told Mr. Williams he could apply for a permit and Ms. Walker could tell him specifically what he needed to do to save his house.

Mr. Williams said he lived in the house until he had a confrontation with the State of Arkansas and the City of Texarkana, Arkansas, for mechanic work in his front yard. He said he left the country and now he wanted to save his house. He said when he came

home the Arkansas Department of Corrections work release (ADC) prisoners had cleaned the yard up and it was the best the yard had looked.

Mayor Bell said it seemed Mr. Williams had his life back together and he could speak with Ms. Walker and she could tell him what all he needed to do to save his house.

Director Peavy asked how long the permit was good for.

Ms. Walker said the permit was good for 180 days.

Mayor Bell said Ms. Walker would tell Mr. Williams what he needed to do to get the house up to code.

Mr. Williams said he lived at another residence but he would like to fix the house for one of his grandkids.

Director Harris said he thought some of the houses were in the Historic District and he wondered if the City went back to the Historic District and researched to see if there were any historic significance to any of the homes.

Mayor Bell said some years ago on the Texas-side, right off Martin Luther King Boulevard, there was a gorgeous home on the Historic Register and now it was a deteriorated house on the Historic Register.

Linda Beed, 6106 Castle Oaks, on behalf of 920 Cherry Street, said she entrusted a man to restore the property but he became sick and could not finish the work. She had taken steps to educate herself and find out what she needed to do to get the property up to code. She did realize the property was an eyesore to the community and she received the list from Ms. Walker on what needed to be done. Ms. Beed had taken the steps to get quotes from people to see what it would take to get the house up to code.

Mayor Bell asked if Ms. Beed had taken out a permit yet for the house.

Ms. Beed said Ms. Walker told her to get quotes and readings first to see what permit she would need to receive.

Mayor Bell asked Ms. Walker how long Ms. Beed would have to take out a permit.

Ms. Walker said she had thirty days to receive a permit however two permits had been issued on this property and no work had been done.

Mayor Bell asked why a year had gone by and no work had been done on the property.

Ms. Beed said the man she hired removed the flooring and then became sick. She then took out another permit after he said he was not sick anymore but he became sick again and now she was doing it herself.

Mayor Bell said it had been a year and if Ms. Walker issued another permit and it was not taken care of in the six months then the house would be demolished.

Ms. Beed said if the work on the house was not done in the six months she would take the steps to have the house demolished.

Mayor Bell asked Ms. Walker if Ms. Beed could take out another permit.

Ms. Walker said normally you could take out a permit within thirty days after the house had been condemned but the work had to be done on the house within the six month period. She said if the permit were not taken out within the thirty days, the house would be put up for demolition.

Mayor Bell told Ms. Beed to speak with Ms. Walker and it sounded like if the work were done within the six months the house would be saved from demolition.

Director Harris said his question was not addressed about the houses in the Historic District.

Ms. Walker said the houses were not in the Historic District.

Director Teeters said the Historic District ends around 12th or 16th Street.

Ms. Walker said these houses were not anywhere near the District.

Mayor Bell said those houses were not in the Historic District.

Director Odom said several years ago a tree fell through the home at 2901 Grand Avenue and it did a tremendous amount of damage. He had numerous phone calls and visits from people in the neighborhood concerned about the house. There were small children living in the neighborhood and residents were concerned for their safety due to the condition of the house.

Mayor Bell said the City did not make any money out of demolishing substandard structures. We lose money constantly. She said it was always a benefit to the City to have those structures repaired and resided in. She asked Ms. Walker to be sure and stress there had to be significant work done within the six month time period.

Director Harris said a lady just walked in and he wanted to make sure she was not there to speak about a property before the hearing was closed.

Mayor Bell asked again if anyone else wanted to speak on behalf of the structures being placed up for demolition.

Rose Marie Clark Archie, 2511 E. 24th Street, #6, owner of 206 Martha Street, said she wanted to repair the house. She knew the taxes were past due and she was in the process of getting it taken care of. Ms. Archie sold the property but it had not been finalized yet. The new owner sent in a payment for the taxes but since the house was still in Ms. Archie's name they sent the payment back. She sent a notarized copy to Little Rock, Arkansas, stating the new property owner and the payment for the taxes

Mayor Bell asked Ms. Archie if the man had bought the property yet or was he negotiating to buy the property.

Ms. Archie said he had given her the money to buy the property.

Mayor Bell asked if the deed were still in Ms. Archie's name.

Ms. Archie said yes.

Mayor Bell asked Ms. Walker which person would need to receive the permit, the owner or the person doing the work.

Ms. Walker said the person who was doing the work would need to take out the permit.

Mayor Bell said but the deed was still in her name.

Assistant Mayor Miner asked if there were a contract of sale.

Ms. Archie said the new owner had already paid her a year ago for the property. She thought the house was already in his name, and she did not know it was not until she received the letter about the taxes and demolition.

Director Teeters asked Ms. Archie, if she did not know she owned the house for the past year until she received the letter.

Ms. Archie said that was correct. She said she gave the man all the information to pay the taxes and he did send in the payment but Little Rock, Arkansas, sent the payment back since the house was not in his name. She was at the hearing because she did not want the house torn down.

City Attorney George M. Matteson asked Ms. Archie to her knowledge if she were the record owner or owner of the title to the property and even though Ms. Archie

sold the property she had not conveyed the title. He was making sure the notice was given to the correct property owner.

Ms. Archie said yes, it was legally still in her name so she assumed she was the correct person to give the notice to.

Mr. Matteson said they needed to speak with Ms. Walker to see who would need to get the permit.

Mayor Bell said she thought the title of the house would need to be transferred. She asked if Ms. Archie could get the man who purchased the house to come with her to speak with Ms. Walker and work out a schedule to get the property off the list.

Ms. Archie said alright.

Mayor Bell closed the public hearing.

[After the public hearing was closed, a property owner arrived at the meeting and wanted to speak.]

Assistant Mayor Miner, seconded by Director Odom, moved to reopen the public hearing to hear more comments from the public. The Deputy Clerk called the roll and the following vote resulted: Directors Harris, Johnson, Miner, Odom, Peavy, Teeters, and Bell voted aye. The Mayor declared the motion passed, as there were seven ayes and no nays and the public hearing was reopened.

Bennie Sinyard, 2905 Grand Avenue, owner of 2901 Grand Avenue said a tree fell onto her house and took out part of her house and her car. She was in litigation and no court date had been set yet. Her family moved her belongings to the storage building in the rear of the property until everything was settled in court and her attorney sent in a letter trying to see if the storage building were included in the demolition.

Ms. Walker said the storage building was not included in the demolition. She had spoken with the attorney and he suggested the City moved forward with whatever the Board decided tonight, and the litigation would continue even if the condemnation were granted.

Ms. Sinyard said that was true. The family just wanted to make sure the Board understood the house was under litigation.

Assistant Mayor Miner asked what was the nature of the litigation.

Ms. Sinyard said it was the neighbor's rotten tree that fell on the house.

Mayor Bell asked was the litigation on the neighbor.

Mr. Sinyard said the litigation was with the neighbor and the insurance company.

Director Teeters asked when did the instance occur.

Mr. Sinyard said November 29, 2015, at 11:30 PM. "We were inside the house. Ms. Sinyard just went to bed 30 minutes before the tree fell on the chair she normally sat in. The firemen had to extract her from the house."

Mayor Bell said it should not have taken over a year for the process and maybe the family needed a different attorney that would get on it. She said Ms. Sinyard was not against the demolition and Ms. Sinyard just wanted to make sure the storage building was not included.

Mr. Sinyard said he was going to sell the property but they could not until the litigation was over.

Mayor Bell said Ms. Sinyard needed a new attorney.

Mr. Matteson said he just wanted to point out since the notice was sent out stating the meeting was to start at 6:30 PM but it was 6:43 PM when the Sinyard's arrived.

Mayor Bell said the Board voted and they reopened the hearing.

Mr. Matteson said he just wanted to make note of the time.

Mayor Bell closed the public hearing, again.

Director Johnson, seconded by Director Odom, moved to adopt the resolution. The Deputy 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.

ORDINANCE NO. 12-17:

An ordinance was introduced to be entitled, "An Ordinance Amending, Updating and Setting Fees for Certain Services Provided by The City of Texarkana, Arkansas; And for Other Purposes".

Mayor Bell said this was the third reading of the ordinance.

This item was to amend Chapter 5, Animals and Fowl, of the *Code of Ordinances* and to approve the revised fee schedule. This amendment would increase the fees for the Animal Care and Adoption Center. These increases would generate an additional \$79,000 in revenue for the City's General Fund over a 12 month period. This item was

also to amend Chapter 9, Fire Prevention and Protection, of the *Code of Ordinances* and to approve the revised fee schedule. This amendment would increase the fees for the Fire Department. These increases would generate an additional \$21,000 in revenue for the City's General Fund over a 12 month period.

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 third and final reading. The motion was seconded by Assistant Mayor Miner. The Deputy Clerk called the roll and the following vote resulted: Directors Harris, Johnson, Miner, Odom, Peavy, Teeters, and Bell voted aye. The Mayor declared the motion carried, as there were seven ayes and no nays.

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

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

ORDINANCE TO ESTABLISH POLICY FOR FACILITY USE REQUESTS – TABLED:

An ordinance was introduced to be entitled, "An Ordinance to Establish a Policy for "Facility Use Requests".

Mayor Bell asked did the City not have an ordinance to deal with the facility use requests.

City Manager Dr. Kenny Haskin said there was an in-house policy but not necessarily an ordinance addressing this issue. As recently as last week the City had a workshop and this issue was brought up and discussed. The Public Works Department was vetting an ordinance that would be brought forth in the coming weeks to address the issues and concerns that were noted last week by the Public Works Director, Jeff Whitten.

Mayor Bell asked Director Harris if he met with the Public Works Department.

Director Harris said he requested a Freedom of Information (FOIA) going back to October of last year regarding the facility use requests. He said there was no ordinance or nothing in writing, and he thought there should be something in writing. All facility use requests used to come before the Board to vote on whether to pass or not to pass. A few years back it became an in-house decision. He said one of the items in the ordinance stated once the City received a request they would have fifteen (15) days to decide one way or another. One of the Board's abilities was to make policies for other organizations and Director Harris said he did not feel this was micromanaging any departments. Another issue dealt with non-profit organizations, who should be required to give 501 (c) (3) form. In the FOIA that Director Harris received there were some organizations that did not provide the form and he felt like the Public Works Department took it upon themselves to decide if it were a non-profit organization. He said after looking at the FOIA request, it did seem everyone paid the \$25.00 application fee, but the non-profit organizations did not pay for barricades. Another issue was the alcoholic beverages. There was an ordinance stating alcohol was only permitted at the Bobby and Sue Dowd Pocket Park. There was alcohol being served at RailFest and other events, and this decision should have been made by the Board. The issue of what events should have security should be at the discretion of the Chief of Police, and it had not been addressed by any of the City's policies. He said there was no policy about who should be responsible for picking up the trash, having liability insurance, and who should be held responsible for damages or injuries. He thought there should be a 90-day notice on any events so the City could verify if there were conflicts between events. There had been nothing addressed regarding concealed weapons. He said he did not feel like citizens with concealed weapons should be allowed at any park events unless they were a licensed law officer. Cancellation fees had not been addressed either. He also thought the Fire Marshall should approve any events that wanted open flames. "What if they were trying to cook and a fire broke out," Harris asked. He said his ordinance was written in the interest of trying to protect the City. He said he also noticed someone got an exclusive six month event downtown. There should have been a contract made, and the City Attorney should have looked at the contract. Director Harris said he felt like all City contracts should have to go through the City Attorney.

Mayor Bell said it sounded like Director Harris had some very good recommendations, but she thought it should come from the Public Works Department. She said it was not the Board's responsibility to make up the policies, it was the Board's responsibility to decide if the policies were good for the City. For example, the Public Works Department brought up the structures, the Board did not make up the guidelines for demolishing the structures, it came from the department. She thought Director Harris should get together with the Public Works Department and give them a copy of the ordinance. They could work together and come up with a plan.

Director Harris said he requested the City Clerk, Heather Soyars, to give a copy to the City Attorney and the Public Works Department. He said when the performance appraisal resolution was done a few weeks ago, it was done by a member of the Board. He did not see how it was submitted because he thought the appraisal should have been done by the individual person and the group. The point he was trying to make was there had been other resolutions or ordinances prepared by a Board member. Whether this ordinance was passed or not, it was out there. He said he felt like there should be something in place because right now there was nothing.

Mayor Bell said she did not disagree.

Director Teeters said she felt any organization would run smoothly when the people at the top delegate authority to the group. The Board cannot oversee everything. When Director Harris made the comment about the City Attorney would need to read every contract for businesses wanting to do business downtown. She said the City Attorney did not have time for that. She thought the Board should delegate authority to these entities, and she agreed with some of the points Director Harris brought up and should be addressed with the Public Works Department. Director Teeters said she did not think the Board should micromanage and oversee all the these issues, because that was their jobs. If there were an issue the department saw, then the issue could come before the Board or the City Manager if necessary. That was why the City hired these people.

Director Peavy said as she was a new Board member, she asked if Director Harris met with the City Attorney to write this ordinance, and could any Board member come up with an ordinance to present to the Board.

Mayor Bell asked Director Harris if he put the ordinance in the form of a motion.

Director Odom said we had a policy in house that had worked 100% good for years and years. There had not been any complaints about the policy. If something worked why did you want to tear it up and do something with it. Our department heads, Parks Superintendent, Ross Cowling and Public Works Director, Jeff Whitten take very good care of this and that was why they were hired. If you tried to pass an ordinance like this, you were leaving the City wide open for a lawsuit and the City did not need that. Director Odom said he was against the ordinance.

Director Harris said, “based on our City’s guidelines, the ordinance needed to be read, and he would request it not be in abbreviated form. Whether the ordinance be read three times was somewhat subjected, but we needed to change the policy.” He said he requested the City Attorney and the Public Works Department to look at the ordinance, and when he asked City Clerk Heather Soyars, her response was she had not been at work, so she was not sure. He would still bring policies forward to the Board in the best interest of the City, and whether the Board voted on it or not would not hurt his feelings. He said he felt like he was doing his job.

Director Teeters said that was understandable and asked whether the Public Works Department could do their jobs.

Director Peavy said she attended the workshop last week and some of these issues were addressed and being looked into. She said she did not believe Director Harris was at the workshop. She said the ones that did attend the workshop were trying to do their jobs, and she would have liked to have heard the ideas Director Harris had at the workshop.

Director Harris said he was not at the workshop.

Mayor Bell asked the City Attorney what would be the correct procedure for the Board to do.

City Attorney George M. Matteson said he understood Director Harris presented an ordinance to the Board and for it to be read three times unless the Board wanted to table it or refer it back to a committee for review and then bring it back before the Board. He said as it stood, without one of those motions, he was there to read the ordinance.

Director Harris said from a public standpoint they needed to know what was written in the ordinance. He would object to tabling the ordinance because he would feel it would be censorship. In the past the ordinances he had put forth before the Board had been read three times and then voted against it, which he had no issue with that. He said this ordinance was put together by a council member in the best interest of the citizens and he felt like the citizens should hear what it said.

Director Odom made the motion to table the resolution.

Director Peavy asked the City Attorney if he were presented Director Harris's ordinance and if he had read it.

Mr. Matteson said he had read the ordinance but he had not commented on it.

Director Peavy asked if any Director could draft an ordinance.

Mr. Matteson said yes, any Director could draft an ordinance. He said he sometimes helped with the drafting.

Director Johnson said he recalled Dr. Haskin stating the Public Works Department was in the process of vetting an ordinance and if this were referred back to the Department, the two entities could work together and possibly solve the issues.

Dr. Haskin said yes, the Public Works Department was working on an ordinance and the suggestion of working together was not inappropriate at all.

Director Johnson said then Director Harris could have his input and would be working directly with the department responsible for the activities.

Mayor Bell asked was that not what we were doing at the workshop last week, but we did not have his ordinance.

Director Odom, seconded by Assistant Mayor Miner moved to table the resolution. The Deputy Clerk called the roll and the following vote resulted: Directors Miner, Odom, Peavy, Teeters, and Bell voted aye. Directors Harris and Johnson voted nay. The Mayor declared the motion passed, as there were five ayes and two 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.

- Katie Thomas, 3705 East Castlewood Drive, said she was there to speak about the Iron Mountain Ozan Ingram Neighborhood Center. On Monday, April 3, 2017,

she said she arrived at the Center to see Ms. Geraldine Sanders one of the managers. Ms. Thomas said she was one of the national and local secretaries of the Washington High School Alumni Association. She was there to find out about an account Ms. Sanders oversaw and Ms. Thomas was responsible for doing the in-house audit for this year. When she arrived, Ms. Sanders' husband was the person she spoke to first, and he said in a rude tone that he did not know where his wife was or when she would be back. He called his wife on his cell phone to let her know Ms. Thomas was there waiting to see her and handed the phone to Ms. Thomas. Ms. Sanders said she would be there in about 45 minutes. Ms. Thomas said she waited from 3:15 PM until 5:00 PM before she arrived. Ms. Sanders made an appointment for the next day at 4:00 PM to bring all the paperwork Ms. Thomas needed. Ms. Thomas arrived the next day at 4:00 PM, and asked if Ms. Sanders were in and someone said Mr. Sanders was in but she was not. She asked Mr. Sanders if Ms. Sanders left the paperwork for their meeting at 4:00 PM. She said Mr. Sanders answered in rude tone that he had not seen her all day and did not know where she was. Mr. Sanders told her that she came in yesterday and today starting trouble and she would have to leave. Ms. Thomas said, "I do not know who in the hell you think you are talking to," and she did realize she should not have said that. She said Mr. Sanders then went to the front door and opened it and told her to get out. She stood there for a minute and then he called the police. After the police were called, she went to her car and by the time she starting backing up her car, Ms. Sanders came around and she stopped. She told Ms. Sanders what had happened, and Ms. Sanders said she had no idea why he was acting like that. By this time, three police cars pulled up asking her what she was doing there. She told the officers she had an appointment with Ms. Sanders at 4:00 PM. The officers told her she had been banned from the center. Ms. Thomas asked Ms. Sanders if she were going to allow this to happen. After Ms. Sanders came back from talking with her husband, she said she could not go against her husband, so Ms. Thomas was banned. The next day Ms. Thomas said she came downtown to see Dr. Haskin and he was not in. The next day she came back again and this time left a message

for the Mayor. Ms. Thomas also went to Bi-state Justice Building to see if there were a police report, but they could not find one even though she was on the ban list.

Mayor Bell said Ms. Thomas' citizen communication time was up and she wanted to make an appointment with her tomorrow. She also wanted to request the Sanders to come in so she could hear both sides of the story. If necessary, she would call Police Chief Harrison to have one of the officers that was there to come in also.

Chief Harrison said the ban was removed.

Mayor Bell told Ms. Thomas she would call her tomorrow to set up an appointment for her to come in.

Dr. Haskin said the issue was under administrative review at this point and the City was conducting an internal investigation and submitting a recommendation. Ms. Thomas and the Board would be notified of those proceedings.

Mayor Bell said she wanted to meet with Ms. Thomas and the Sanders. The best way to get the truth was to have both parties. She asked what the reason was for the audit.

Ms. Thomas said it was for her school's alumni association.

Mayor Bell asked if the association met there.

Ms. Thomas said no, and that was her first time in the building. She said her only reason for being there was to get the reports, and Ms. Sanders brought them to her the next day.

Mayor Bell said she would call Ms. Thomas tomorrow.

- Director Harris began reading his ordinance that was tabled earlier.

***“AN ORDINANCE TO ESTABLISH A POLICY FOR
“FACILITY USE REQUESTS”.***

WHEREAS, the purpose of this ordinance is for public importance and public interest for the City of Texarkana, Arkansas; and

WHEREAS, the City of Texarkana, Arkansas desires to establish a uniform policy, for Facility Use Requests;

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

Section 1. Title. This ordinance shall be known as the “Facility Use Request Ordinance” for the City of Texarkana, Arkansas. In order to secure for ourselves the benefits and responsibilities for decisions of Facility Use Requests Applications and in order to provide city government to serve our present and future needs, do hereby adopt this ordinance and as part thereof adopt the following.

SECTION 17-8 Facility Use Request

Administrative Guidelines for Community Use of City’s Facilities

- 1. In no instance, shall the use of a facility be where it causes the City expenditures which are not covered.*
- 2. The individual, group, organization, may be assessed appropriate fees to use a facility.*
- 3. The individual, group or organization will agree that no immoral or illegal activity will take place in/on the property. They shall comply with all laws, code and ordinances.*
- 4. The City of Texarkana, Arkansas Parks hours of operation are from 6:00 A.M. to 11:00 P.M. All park events must conform to these hours unless revision is approved by the Board of Directors.*
- 5. Individuals, groups or organizations agree they will be responsible to the Recreation and Parks Department for the use and care of the City facilities and property. No one under the age of eighteen (18) shall be granted use of a facility.*
- 6. Only the rental individual, group or organization has excluded rights of the facility rental/ reserved however no one can exclude anyone from entering a City park during the park normal operation hours. Only the pavilions and baseball fields may be reserved exclusively.*
- 7. City baseball park concessions are exclusive right of the City of Texarkana, Arkansas unless special permission has been granted to the requesting party.*

8. *No fireworks or open flame devices are permitted on any City property without approved of the Fire Marshall.*
9. *If the individual, group or organization will be needing access to electricity or water, they should contact the Park & Recreation Department at least three (3) business days prior to the event to assure previous arrangements are still needed.*
10. *All events must comply with the American with Disabilities Act and does not and shall not discriminate because of race, color, sex, language, religion, national or social origin, gender, age, marital status, in any activities or operation. The activities include but not limited to, hiring and firing of staff, selection of volunteers and vendor, and providing of service.*
11. *Admission and gate fees charged to event on City property to participants by any individual, group, organization or sponsor must be approved by the Board of Directors.*
12. *All individuals, groups or organizations using facilities must conform to all City ordinances and fire rule & regulations. Violation of any law, rule, ordinance by any individual, group, organization during usage shall be sufficient cause for denying for further use of city property to that applicant.*
13. *Request for assistance from City personnel must be approved by the City Manager. The request for City personnel shall be part of the initial application. With limited personnel, assistance will be on a case by case bases and only if such resources permit.*
14. *Traffic safety equipment, cones and barricades shall be placed in location as directed by the Police Department and/or Public Works Department. The individual, group or organization shall be responsible for removing and returning traffic safety equipment unless prior arrangement has been made with the Public Works Department.*
15. *The individual, group, or organization shall inform the City in writing seven (7) days in advance....”*

Mayor Bell said Director Harris' five minutes were up.

Director Teeters said the copy of the ordinance she had did not match up with the

ordinance he just read, and she felt like it was null in void due to the discrepancies. She also wanted to make a motion that if something had been tabled by the Board you could no longer talk about it.

Director Odom said if something had been tabled it could no longer be discussed.


Director Harris said he felt like what the Board did was censorship and during Citizens' Communication the citizen had the right to say what they wanted to say. He said if you wanted to change the law to get at him you could, but as of right now the law stood and during Citizens' Communication time you could talk about anything you wanted to talk about.

Mayor Bell said that was why she let Director Harris speak during the Citizens' Communication time.

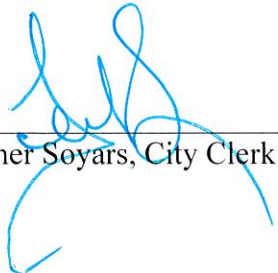
ADJOURNMENT:

Director Johnson, seconded by Assistant Mayor Miner, moved to adjourn the meeting. The Deputy 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 7:23 PM.


Ruth Penney Bell, Mayor

ATTEST:


Heather Soyars, City Clerk