

**RESCHEDULED REGULAR MEETING OF
THE BOARD OF DIRECTORS
OF THE CITY OF TEXARKANA, ARKANSAS
JULY 5, 2017**

MEMBERS PRESENT:

The Board of Directors of the City of Texarkana, Arkansas, convened in rescheduled regular session at 12:00 PM on Wednesday, July 5, 2017.

ROLL CALL:

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

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

INVOCATION:

The invocation was given by Mayor Ruth Penney Bell.

PLEDGE OF ALLEGIANCE:

Director Laney Harris led everyone in the Pledge of Allegiance.

COMMENTS FROM THE MAYOR:

Welcome:

Mayor Bell welcomed everyone to today'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 today's Board meeting. The Mayor asked any audience member interested in speaking at today'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.

Local Events:

Mayor Bell said the Bandit Run held in June was a wonderful event and Sparks in the Park held on June 24, 2017 at the Four States Fairgrounds was another huge success.

Letter:

Mayor Bell read the following letter dated June 26, 2017:

“To my Honorable Mayor Ruth Penney Bell,

Recently on June 20th the Public Works crew headed up by Charles, cut down a dangerous dead tree across the street from my house on Grand Ave, the crew was second to none. They were very courteous and all worked together as a team. Some of the limbs and debris fell into my yard, in which they cleaned up and made sure I was happy. I would like to commend this department for the work they do, with limited funds and staff, they have to work with complaints about pot holes in our streets which is not their fault, it is due to taxes and budget cuts which they have no control over.

I feel honored to live in a city with the best of the best – Mayor, City Council, City Manager, and City Staff, Police, Fire, Public Works, Water and Sewer, Parks Department and anyone else I missed

Take time when you see these people to stop and say Thank you for the job they do.

Remember its “we the people” who make the City what it is.

James Thacker, proud to be a Texarkana, Arkansas resident.”

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 an award to Regina Holder. She received a City of Texarkana, Arkansas Employee Service Award and Texarkana, Arkansas City pin. The award recognized her for 5 years of service with the Public Works Department. She accepted the honor and thanked Mayor Bell, the Board of Directors, and the City Manager.

Mayor Bell commented Brandy Chewning was unable to attend today's meeting and she would make sure she received her award and pin. Ms. Chewning would have been recognized for 5 years of service with the Public Works Department. Mayor Bell thanked all the City employees for their service to the City and its citizens.

CONSENT AGENDA:

Director Teeters 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 June 19, 2017.

RESOLUTION NO. 2017-28:

Resolution No. 2017-28 amended the FY2017 Budget (Resolution No. 2016-74) to adjust the 2017 Community Development Block Grant budget allocation.

REGULAR AGENDA:

ORDINANCE NO. 16-2017:

An ordinance was introduced to be entitled, "An Ordinance Clarifying, Adjusting, and Approving Certain Fees to be Charged by the City of Texarkana, Arkansas". Said ordinance authorized the City Manager to adjust various permit and application fees in the Public Works Department. The City of Texarkana, Arkansas had not adjusted building permit and inspection fees since 2006. Other fees needed to be adjusted to offset the increase in the cost to operate.

Public Works Director Jeff Whitten said the ordinance was recommended for adoption with the exclusion of Section 8, regarding garage sales.

The ordinance was read the third time in abbreviated form.

Mayor Bell asked if any Board or audience member had any questions or comments concerning this item.

Danny Jewell said the building permit for new commercial construction was more than a modest increase. He said if he had the figures correct, a 12,000 square foot building permit would cost him \$1,200.00-\$1,400.00, but once the new ordinance became in effect it would cost him \$3,600.00 to build the same building. Mr. Jewell said one of the advantages he told his clients to building on the Arkansas-side was the cost of fees. He said now the increased fees would be too high.

Director Harris asked Mr. Jewell when he became aware of the ordinance.

Mr. Jewell said he read the article in the paper about the ordinance after the second reading.

Director Harris asked Mr. Jewell if he could determine what were new fees versus the existing fees.

Mr. Jewell said yes, after a little study.

Director Harris asked Mr. Jewell if he spoke with anyone in the Public Works Department about his concerns.

Mr. Jewell said he did not give the Public Works Department the opportunity to explain all the details.

Director Peavy asked what was the square footage of the building.

Mr. Jewell said roughly 12,000 feet.

Mayor Bell asked Public Works Director Jeff Whitten if there would be an individual inspection fee for every item broken down or would there be one inspection for electric, plumbing etc.

Mr. Whitten said the new fee schedule was based on the square footage of the building instead of each individual item. He said the fee increased 5 cents per square foot.

Director Peavy asked if this were a one-time fee, no matter how many times the inspector had to come back.

Mr. Whitten said there would be a re-inspection fee.

Director Peavy asked how often did this happen.

Mr. Whitten said it depended on the quality of the house.

Mayor Bell asked Mr. Whitten if the increases were a percentage across the board or was each fee looked at individually.

Mr. Whitten said each fee was looked at individually. He said for residential it was based on square foot and for commercial it was based on cost of construction.

Mayor Bell asked how the cost of construction was determined.

Mr. Whitten said when the builder came in he had a projected cost using the formulas in Section 4.

Director Peavy asked what surrounding cities were in line with this fee schedule.

Mr. Whitten said across Stateline Avenue on the Texas-side, our fees were still considerably lower. He said they looked at Jonesboro, Arkansas, and they had a fee schedule similar to what was purposed. Mr. Whitten said he also looked at Fayetteville, Arkansas, and Fort Smith, Arkansas, and they basically took the construction of the house and applied a construction cost per square foot. He said when he met with the builders at the workshop, they told him if they were building a spec home it would be a lower cost, but if the build were a custom build the cost would be higher.

Director Peavy asked how long it took to complete an inspection.

Mr. Whitten said he did not know.

Director Peavy said she wanted to be on record stating she was good with the fee increase to keep people honest. She said everyone made mistakes, and wondered how much the re-inspection fee would be.

Mr. Whitten said \$25.00 for a re-inspection fee.

Mayor Bell said overall if there were a 2400 square foot house how much of an increase would these fees generate above the previous fees.

Mr. Whitten said the deciding factor for the fees would now be based on the square footage of the house.

Director Harris asked on Section 5 what did resident and nonresident mean with the certificate of occupancy.

Public Works Assistant Director Traci Lee said the certificate of occupancy would be for new construction only.

Mr. Jewell said he did a comparison with Jonesboro, Arkansas, and a fee of \$3,120.00 would provide all the permits and inspections. He said with the new fee

schedule purposed he had to pay \$500.00 more and Jonesboro, Arkansas was a bigger city. He said the cost did not include all the additional fees for each fixture and drops.

Mr. Whitten said to clarify the plumbing costs for new construction would be 5 cents per square foot not for every drop or fixture you had.

City Attorney George Matteson said he thought there was a second correction to the ordinance.

Mr. Whitten said it dealt with the conditional use permit but it was not in the original ordinance.

Mr. Matteson said he would intentionally omit Section 8 and would not renumber the sections.

Director Peavy made the motion to adopt the ordinance omitting Section 8. The motion was seconded by Director Odom. The Deputy Clerk called the roll and the following vote resulted: Directors Odom, Peavy, Teeters, and Bell voted aye. Director Harris voted nay. The Mayor declared the ordinance adopted, as there were four ayes and one nay.

ORDINANCE TO AMEND CHAPTER 9 OF THE CODE OF ORDINANCES - SECOND READING:

An ordinance was introduced to be entitled, "An Ordinance Amending Section - 12 of the Code of Ordinances of Texarkana, Arkansas, to Make Clarifications and include Annual Commercial Fire Alarm Permitting; and For Other Purposes".

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 second reading. The motion was seconded by Director Odom. The Deputy Clerk called the roll and the following vote resulted: Directors Harris, Odom, Peavy, Teeters, and Bell voted aye. The Mayor declared the motion carried, as there were five ayes and no nays.

The ordinance was read the second time in abbreviated form.

Mayor Bell said the third reading of the ordinance would be at the next meeting.

ORDINANCE TO AMEND CERTAIN PROCEDURAL PROVISIONS IN THE CODE OF ORDINANCES - SECOND READING:

An ordinance was introduced to be entitled, “An Ordinance Amending Certain Procedural Provisions of the *Code of Ordinances of the City of Texarkana*; and for other purposes”. This item was requested to be added to the agenda by Mayor Bell.

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 Director Teeters. The Deputy Clerk called the roll and the following vote resulted: Directors Harris, Odom, Peavy, Teeters, and Bell voted aye. The Mayor declared the motion carried, as there were five ayes and no nays.

The ordinance was read the second time in abbreviated form.

Mayor Bell said the third reading would be conducted at the next meeting.

ORDINANCE ESTABLISHING BUSINESS LICENSE FOR MEDICAL MARIJUANA CULTIVATION CENTERS AND DISPENSARIES – MOVED TO NEXT MEETING:

Mayor Bell requested this ordinance be moved to the next meeting, July 17, 2017. City Manager Kenny Haskin was not in attendance and his input would be critical and beneficial to this ordinance. The motion was seconded by Director Odom. The Deputy Clerk called the roll and the following vote resulted: Directors Harris, Odom, Peavy, Teeters, and Bell voted aye. The Mayor declared the motion carried, as there were five ayes and no nays.

ORDINANCE NO. 17-2017:

An ordinance was introduced to be entitled, “An Ordinance Amending Ordinance No. K-286, as Amended; Declaring an Emergency; and for Other Purposes”. Said ordinance rezoned the south side of Arkansas Boulevard in the 1400-1700 blocks from O-1 Office Quiet to C-3 Open Display Commercial zoning district.

Interim City Planner Mary Beck said City Manager Kenny Haskin made the request for this ordinance to rezone the south side of Arkansas Boulevard in the 1400-1700 blocks from O-1 Office Quiet to C-3 Open Display Commercial zoning district. This area was anticipated to best serve as office space when the Comprehensive Development plan was completed in 1988 but traffic patterns developed differently demonstrated by business and zoning patterns. The Planning Commission considered this action to be beneficial to the business owners to the east of the intersection of Jefferson Avenue and Arkansas Boulevard and to the City for expanded retail development. The legal description of the property was PT Lot No. 5S, All of Lot No. 6S, Lot No. 7S, Lot No. 8S, & PT Lot No. 9S, Block 3, Bemis Grove Subdivision, Texarkana, Miller County, Arkansas containing 3.80 acres more or less.

Mayor Bell asked if there were any objections regarding the rezoning from the surrounding properties.

Ms. Beck said she had notified 46 property owners and there were no objections.

Director Teeters asked if the businesses in the C-1 zone asked to be rezoned into the C-3 zone.

Ms. Beck said no, they did not.

Director Teeters referred to the Forrest Park area and how it had a fence and Nix Creek to separate the residential area from the businesses.

Ms. Beck said there was a 70-foot buffer before the residential area.

Ms. Beck said the reason behind the zoning was for a veterinarian clinic.

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 Peavy. The Deputy Clerk called the roll and the following vote resulted: Directors Harris, Odom, Peavy, Teeters, and Bell voted aye. The Mayor declared the motion carried, as there were five ayes and no nays.

The ordinance was read the first time in abbreviated form.

Director Teeters moved the ordinance be read in abbreviated form and the ordinance be placed on its second reading. The motion was seconded by Director Odom.

The Deputy Clerk called the roll and the following vote resulted: Directors Harris, Odom, Peavy, Teeters, and Bell voted aye. The Mayor declared the motion carried, as there were five 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 Odom. The Deputy Clerk called the roll and the following vote resulted: Directors Harris, Odom, Peavy, Teeters, and Bell voted aye. The Mayor declared the motion carried, as there were five ayes and no nays.

The ordinance was read the third time in abbreviated form.

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

EMERGENCY CLAUSE:

Ms. Beck said an emergency clause was requested because a conditional use permit was being applied for through the Planning Commission and was dependent on rezoning for 1600 Arkansas Boulevard, Suite 200.

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

ORDINANCE NO. 18-2017:

An ordinance was introduced to be entitled, "An Ordinance Amending Ordinance No. K-286, as Amended; Declaring an Emergency; and for Other Purposes". Said ordinance rezoned a large rural tract of undeveloped land from R-1 Rural Residential to R-1 Rural Residential overlay district. The property was located at 1811 Hastings Crossing Road.

Interim City Planner Mary Beck said the rezoning request was made by Beth Peterson to rezone property to allow for multi-section manufactured housing by

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 Deputy Clerk called the roll and the following vote resulted: Directors Harris, Odom, Peavy, Teeters, and Bell voted aye. The Mayor declared the motion carried, as there were five 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 Odom. The Deputy Clerk called the roll and the following vote resulted: Directors Harris, Odom, Peavy, Teeters, and Bell voted aye. The Mayor declared the motion carried, as there were five 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 Deputy Clerk called the roll and the following vote resulted: Directors Harris, Odom, Peavy, Teeters, and Bell voted aye. The Mayor declared the motion carried, as there were five ayes and no nays.

The ordinance was read the third time in abbreviated form.

Director Odom made the motion to adopt the ordinance. The motion was seconded by Director Teeters. The Deputy Clerk called the roll and the following vote resulted: Directors Harris, Odom, Peavy, Teeters, and Bell voted aye. The Mayor declared the ordinance adopted, as there were five 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.

Brandon Cogburn, 3 Woodridge Drive, said he wanted to speak to the Board regarding the tree limbs at the intersection of Woodridge Drive and Sanderson Lane. He said he had called three different times and spoke with the Public Works Department, the City Manager, and the Public Works Director and the limbs still had not been cut. Mr.

Cogburn said when you looked in one direction you could only see a hill and when you looked in the other direction all you could see were the tree limbs. He said not too long ago the City cut limbs on Sanderson Lane but stopped before they reached Woodridge Drive and all he wanted was the City to cut the tree limbs down.

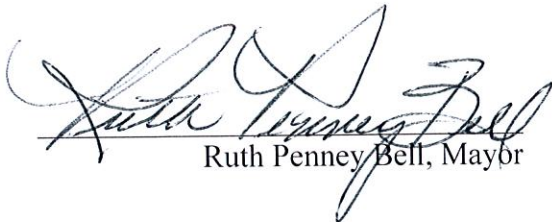
Mayor Bell said she felt she could get this issue taken care of.

No one else came forward.

ADJOURNMENT:

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

The meeting adjourned at 1:11 PM.


Ruth Penney Bell, Mayor

ATTEST:



Heather Soyars, City Clerk