

**REGULAR MEETING OF THE  
BOARD OF DIRECTORS  
OF THE CITY OF TEXARKANA, ARKANSAS  
AUGUST 21, 2017**

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**MEMBERS PRESENT:**

The Board of Directors of the City of Texarkana, Arkansas, convened in regular session at 6:00 PM on Monday, August 21, 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 and Deputy Clerk Jenny Narens. City Clerk Heather Soyars 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 Travis Odom.

**PLEDGE OF ALLEGIANCE:**

Director Travis Odom 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 Deputy Clerk. She said this would help run an organized meeting and allowed the Deputy 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.

**Animal Care and Adoption Center:**

Mayor Bell said the front page of the Texarkana Gazette had a story of a kitten that eluded its owner. She said the Texarkana Gazette gave the Animal Care and Adoption Center good recognition for a job well done by Mr. Lokey's department.

**Arkansas High Student:**

Mayor Bell recognized Arkansas High School student Kirkland Carter.

**QUESTIONS FROM DIRECTORS AND OTHER BUSINESS:**

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

Director Johnson said a few meetings ago there was a citizen that came forward to say the Board and Director Johnson was not doing enough in the community. He presented some figures to correct the impression left that night. Director Johnson said for community development funding since 2012, a total of \$14,212,100.85 had been spent for all the wards, and Ward 2 and Ward 3 spent over half of the money. He said there were 30 City parks and half of the parks were in Ward 2, and seven of the parks appeared in Ward 3. The City took proactive measures in seeing the needs of the community and worked to fill those needs. Director Johnson said the City and staff were doing a great job for the disadvantaged areas of our City.

Director Odom wanted to recognize and thank JD Phillips, the Executive Director of Texarkana Water Utilities; Jeff Whitten, the Director of Public Works; Charles Lokey, the Director of the Animal Shelter; Fire Chief David Fletcher; Police Chief Robert Harrison; TyRhonda Henderson, the Finance Director; and City Manager Dr. Kenny Haskin, for job well done.

Mayor Bell said we may not be the richest City but we had the best staff.

No one else came forward.

**REMOVED FROM CONSENT AGENDA:**

Director Harris requested Agenda Item 9, a Resolution supporting federal and state legislation to assess and collect internet/online sales tax, be removed from the Consent Agenda and placed on the Regular Agenda.

### **CONSENT AGENDA:**

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

### **MINUTES:**

The minutes approved were of the regular meeting August 7, 2017.

### **RESOLUTION NO. 2017-32:**

Resolution No. 2017-32 rescheduled 2018 regular Board of Director meetings that conflict with City approved holidays.

### **RESOLUTION NO. 2017-33:**

Resolution No. 2017-33 authorized the City Manager to enter into contracts for chemicals for Water and Wastewater.

### **REGULAR AGENDA:**

### **RESOLUTION NO. 2017-34:**

The resolution was read in its entirety. Said resolution supported federal and state legislation to assess and collect internet/online sales tax.

Director Harris said more people used the internet every day and the City's store front was decreasing more and more each year. He said most people were using the internet to order items instead of going to the stores. Director Harris asked everyone to call their legislators asking them to support the bill.

Mayor Bell said that Texas was having trouble with this, also. People go to the store, look at an item, and then go home and order it online, leaving the City and the businesses with losses. She said the biggest income for the City was sales tax and it was shrinking. Mayor Bell said that at the Arkansas Municipal League (AML) meeting this issue was discussed, and the money collected by on-line businesses would come to the

City. She said AML asked that we adopt the resolution so it could help them support this bill when it was presented in the legislative session.

Director Harris, seconded by Director Teeters, 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.

### **PUBLIC HEARING REGARDING DELIQUENT TAXES:**

Mayor Bell opened the public hearing.

Building Official Nina Walker said the Public Works Department razed four (4) substandard properties and had been unable to recover the cost of demolition, \$16,611.07, from the property owners of record. The State of Arkansas granted a city the means to recuperate the costs. The recovered costs were returned to the Community Development Block Grant (CDBG) fund for structures located in the CDBG areas and CDBG funds were used for demolition. The recovered costs for all other structures were returned to the Public Works Department fund. An additional ten percent (+10%) was added to the cost of the lien processing of which three percent (3%) was retained by Miller County. The Board Action requested was to approve the placement of liens on the Miller County Tax Roles to recover the actual cost of demolition plus ten percent (+10%).

Mayor Bell asked if there were any movement to help get the property back on the tax books. She said maybe we could forgive the lien for the next owner who wanted to purchase the property and construct a home.

City Manager Dr. Kenny Haskin said the City had some discretion depending on the project itself.

Ms. Walker said she had worked out solutions for citizens who purchased the lot next door to them.

Mayor Bell asked Public Works Director Jeff Whitten if he had been working with Dr. Haskin's on this issue.

Mr. Whitten said there was one citizen that was trying to purchase a lot with a lien on it and there were some negotiations and agreements to get an abatement and only pay a portion of the lien amount.

No one else came forward.

Mayor Bell closed the public hearing.

**RESOLUTION NO. 2017-35:**

The resolution was read in its entirety. Said resolution certified the amount to be put on tax books as delinquent and collected accordingly.

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 TO CREATE A CITIZENS PARK AND RECREATION ADVISORY BOARD – SECOND READING:**

An ordinance was introduced to be entitled, “An Ordinance to Establish a Parks and Recreation Citizen Advisory Board; and For Other Purposes.” Said ordinance was to establish a Parks and Recreation Citizen Advisory Board to advise the Texarkana, Arkansas, Board of Directors and staff on how to best provide safe and comprehensive parks and recreation facilities, programs, and services on behalf of all current and future residents of the City of Texarkana, Arkansas. This item was revised for the August 7, 2017, Board meeting at the request of Director Laney Harris as a new ordinance to replace the existing ordinance from the July 17, 2017, Board meeting.

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 Harris. 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 second time in abbreviated form.

**ORDINANCE NO. 25-2017:**

An ordinance was introduced to be entitled, “An Ordinance Levying the 2017 Tax Rate”.

Finance Director TyRhonda Henderson said that each year the City was required to establish the property tax levy for the year so that the County could include the approved amount to the property tax bills in the next year. The proposed 2017 tax levy was the same as in prior years—5 mils for general fund operations, 1 mil for the fire pension fund, 1 mil for the police pension fund, 1 mil for the library fund, and 2.5 mils for general obligation bond debt service payments. Passage of this ordinance would not increase property tax rates for any City resident.

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 Teeters. 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 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 Johnson. 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 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 Teeters. 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 time in abbreviated form.

Director Harris made the motion to adopt the ordinance. 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 ordinance adopted, as there were seven ayes and no nays.

**ORDINANCE AMENDING POLICIES AND PROVISIONS**  
**OF THE ADVERTISING AND PROMOTION**  
**COMMISSION:**

An ordinance was introduced to be entitled, “An Ordinance Amending Section 25-20 of the *Code of Ordinances of the City of Texarkana, Arkansas*, to Expand the Pool for Potential Members and to Update Provisions Concerning Filling Vacancies on the Advertising and Promotion Commission.” This ordinance was added to the agenda at the request of Director Tim Johnson.

Director Johnson said there had been numerous vacancies through the years on the Advertising and Promotion Commission due to inability to locate business owners who live within the city limits who are willing to serve. He said if the business were inside the city limits and the owner lived inside the county, why could they not be eligible to serve on the commission.

Director Teeters said the taxes were being raised on the business inside the city limits, and the money would not go to a Miller County resident. She said the money given by the Advertising and Promotion Commission was used on Texarkana, Arkansas, advertising and promotions. Director Teeters wanted citizens to understand the taxes were collected from the business, not the home residence.

Mayor Bell said there was one person willing to serve on the commission and he lived in the county but on the wrong side of the street to be inside the city limits.

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

Director Johnson moved the ordinance be read in abbreviated form and the ordinance be placed on its first reading. The motion was seconded by Director Harris. 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 first time in abbreviated form.

**CITIZEN COMMUNICATION:**

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

Andrew Smith, 4310 Monroe Drive, Texarkana, Texas, said he wanted to build a youth center on the corner of Dudley Street and Oats Street. He said the children of this community did not have a place to go after school. Mr. Smith said the Mormon Group owned by Warren Buffett had agreed to help with the funding and help back a youth center in this area. He said the Mormon Group suggested he also had the backing from the City to see if they could help him with the building permits. Mr. Smith said he had several local groups willing to help in the project but they wanted him to have the support of the City first. He said the youth center would be open from 3:00 PM until 6:00 PM daily through the week. Mr. Smith said it would have outdoor activities, a stage, a snack area to give the hungry kids something to eat, and tutoring to help the children with their schoolwork.

Mayor Bell asked Mr. Smith to make an appointment to speak with Dr. Haskin.

No one else came forward.

### **EXECUTIVE SESSION:**

Mayor Bell announced the Board would recess into Executive Session at 6:47 PM.

[Director Harris left the Board Room at 6:47 PM.]

### **MEETING RECONVENED:**

The meeting was reconvened by the Mayor following the Executive Session at 6:56 PM.

[Director Harris returned to the Board Room at 6:56 PM.]

### **RESOLUTION NO. 2017-36:**

Resolution No. 2017-36 was read in its entirety. Said resolution appointed Director Peavy and Director Teeters to the Texarkana, Arkansas, Water Utilities Employee Retirement Committee and Ray Cox to the Board of Adjustment.

Director Odom, seconded by Director Johnson, moved to adopt the resolution. The Deputy Clerk called the roll and the following vote resulted: Directors Johnson,

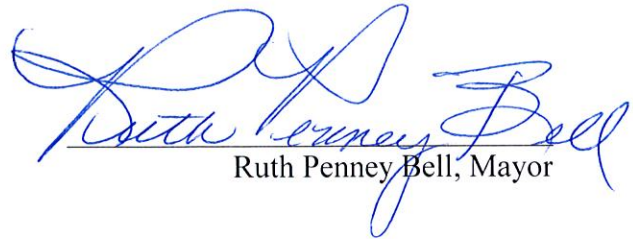


Miner, Odom, Peavy, Teeters, and Bell voted aye. Director Harris abstained. The Mayor declared the resolution passed, as there were six ayes and one abstention.

**ADJOURNMENT:**

Director Johnson, seconded by Director Odom, 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 7:00 PM.



Ruth Penney Bell, Mayor

**ATTEST:**



Jenny Narens, Deputy City Clerk