

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

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**MEMBERS PRESENT:**

The Board of Directors of the City of Texarkana, Arkansas, convened in rescheduled regular session at 6:00 PM on Tuesday, September 5, 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 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 City Clerk Heather Soyars.

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

**INVOCATION:**

The invocation was given by Assistant Mayor Barbara Miner.

**PLEDGE OF ALLEGIANCE:**

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

**COMMENTS FROM THE MAYOR:**

**Welcome:**

Mayor Bell welcomed everyone to tonight's meeting. She recognized the Texarkana Chamber of Commerce President and Chief Executive Officer 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.

**Government Students:**

Mayor Bell recognized Auryeal Parker and Ashley Wyrick, Texas High School students. 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.

**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 Cecelia White. She received a City of Texarkana, Arkansas Employee Service Award and Texarkana, Arkansas City pin. The award recognized Ms. White for 25 years of service with Texarkana Water Utilities. She accepted the honor and thanked Mayor Bell, the Board of Directors, and the City Manager.

Mayor Bell commented Justin Lansdell was unable to attend tonight's meeting and she would make sure he received his award and pin. Mr. Lansdell would have been recognized for 10 years of service with Texarkana Water Utilities. Mayor Bell thanked all the City employees for their service to the City and its citizens.

**Dusty Rose Band Proclamation:**

Mayor Bell presented the following proclamation to the Dusty Rose Band:

***A Texarkana, Arkansas Proclamation***

***"Dusty Rose Band Day"***

*September 5, 2017*

***WHEREAS**, the Dusty Rose Band, managed by Sandy Templeton, was formed 14 years ago and now has five members—Jason Springer (lead vocals), Billy Templeton (lead guitar), Doug Cooper (lead guitar and vocals), Russell Cobb (drums), and Tommy McAnnaly (bass guitar); and*

***WHEREAS**, although all band members have full-time jobs, Dusty Rose Band is known for always being the first to step up for anyone in need and for loving their community and helping whenever possible; and*

***WHEREAS**, they now perform in Louisiana, Texas, and Oklahoma, sometimes doing shows every night on the weekends, but they always return to their Texarkana roots, where they plan to continue playing as long as God allows their talents to last; and*

***WHEREAS**, their community involvement has included raising money for Shop with a Cop; free concerts for the homeless shelter; fundraisers for our police and fire departments; and raising money for flood victims, accident victims, and other people in need; and*

***WHEREAS**, they have opened for major recording artists, headlined at Sparks in the Park, and this year will headline for Dine the Line;*

***WHEREAS**, attendees at a Dusty Rose Band performance can be assured of three things: they pray before each concert, they say the Pledge of Allegiance in support of our flag, our country and our veterans; and they always encourage crowd participation, especially among the children;*

***NOW THEREFORE**, I, Ruth Penney Bell, Mayor of Texarkana, Arkansas, do hereby proclaim September 5, 2017, to be*

### ***“Dusty Rose Band Day”***

*in our City and urge each citizen to recognize the love and support of country and community exhibited by the Dusty Rose Band.*

Signed by Mayor Bell and attested by City Clerk Heather Soyars.

### **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 August 21, 2017.

**REGULAR AGENDA:**

**PUBLIC HEARING – BYRNE JUSTICE ASSISTANCE**

**GRANT:**

Mayor Bell opened the public hearing regarding the Byrne Justice Assistance Grant (JAG).

Chief Harrison said this was a yearly grant that was shared with Miller County.

Mayor Bell closed the public hearing.

**RESOLUTION NO. 2017-37:**

The resolution was read in its entirety. Said resolution granted permission to submit the 2017 application and further authorize the City Manager to execute a Memorandum of Understanding (MOU) Interlocal Agreement with Miller County, regarding the Byrne Justice Assistance Grant (JAG-yearly grant).

The Texarkana Police Department received money through the DOJ LLEBG Block Grant Program each year and requested permission to submit the joint 2017 application, and enter into an Interlocal Agreement with Miller County concerning the division of the funds in the amount of \$21,225.00. The Texarkana, Arkansas Police Department (TAPD) would receive \$13,796.00 and Miller County Sheriff Office (MCSO) would receive \$7,429.00.

Unless both City and County agreed to the disparate certification resolution for Texarkana/Miller County, neither governmental agency would receive funds. Miller County had agreed to take \$7,429.00 as their share to resolve the disparate certification. This was approximately at 65/35 split. There was an especially short window of opportunity to submit this application to the Board of Directors for approval of the JAG

Grant, Public Comments & MOU with Miller County and then forward to the Department of Justice for processing.

TAPD proposed to use the Eity's share, (\$13,796.00) towards the purchase of four (4) Motorola APX 6000 portable radios. The police department currently used Motorola XTS 5000 portable radios, which proved to be very stable and durable radios; however, Motorola would terminate their support of this radio effective December 31, 2018. While the Motorola XTS 5000 radios utilized might continue to function beyond this termination date, access to critical repair parts beyond this date would be extremely difficult to obtain.

There was no local match to either the city or county on this grant application.

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

### **ORDINANCE TO CREATE A CITIZENS PARK AND RECREATION ADVISORY BOARD – FAILED:**

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.

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

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

Director Harris said citizen input and comments were the only motivation behind this item.

Director Odom said Ross Cowling had been the Superintendent of Parks and Recreation since April 2009. He said Mr. Cowling had done a tremendous job and there had been no complaints against him by anyone. Director Odom said he saw no need for a Parks and Recreation Committee.

Joe Denmon, 624 Belmont, said he did not think the problem was Ross Cowling or Public Works Director Jeff Whitten, his concern was parks in need of repairs. Mr. Denmon said he agreed with Director Harris and a citizen he would like to have input on what park was repaired first. He said he was not saying the Public Works Department was not doing their job, he just thought they could use some help.

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

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

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 not being able to find business owners who live within the city limits who would be 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.

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

Assistant Mayor Miner 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 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. 26-2017:**

An ordinance was introduced to be entitled, "An Ordinance Recertifying Section 2.01 of the Personnel Policy of the City of Texarkana, Arkansas; and for Other Purposes." This ordinance certified the Equal Employment Opportunity and Affirmative Action Plan.

Finance Director TyRhonda Henderson said this ordinance would recertify the Equal Employment Opportunity and Affirmative Action Plan, Section 2.01 of the Personnel Policy, in accordance with applicable federal law. She said this would be required every 24 months.

City Manager Kenny Haskin said this was a housekeeping issue.

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

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

### **ORDINANCE NO. 27-2017:**

An ordinance was introduced to be entitled, "An Ordinance Authorizing Entrance into a Contract with Artex Electric Company, Inc., Pursuant to Ark. Code Ann § 14-47-137; Declaring an Emergency and for Other Purposes."

Public Works Jeff Whitten said several months ago the City of Texarkana, Arkansas, advertised for bids to construct the lights on the Highway 71 bridge. He said there was only one bid submitted and it was from Artex Electric for \$34, 868.

Mayor Bell asked if that seemed like a fair bid.

Mr. Whitten said yes.

Director Harris asked if the state were responsible for the lights since the state put in the highway.

Mr. Whitten said it was his understanding the lights were the City's responsibility for the design and installation. He said this contract was brought before the Board since there was a conflict of interest with the owner of Artex Electric and a Board member, and he did not want the public to think that was the reason Artex Electric received the contract.

Mayor Bell said Mr. Whitten was not required to bring bids before the Board but thanked him for being forthcoming.

Assistant Mayor Miner said the bid was for labor only.



Mr. Whitten said yes, the contract was for labor only, the poles and fixtures were bid under a separate contract.

Mayor Bell thanked Mr. Whitten for bringing this to the Board and being transparent.

Assistant Mayor Miner asked if the City Attorney had a problem with this decision.

City Attorney George Matteson said he tried to put the provisions from the local and state law into the ordinance. He said the Board was doing everything to be in a defensible position.

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 first reading. The motion was seconded by Director Johnson. The Clerk called the roll and the following vote resulted: Directors Harris, Johnson, Miner, Odom, Teeters, and Bell voted aye. Director Peavy abstained from voting. The Mayor declared the motion carried, as there were six ayes and one abstention.

The ordinance was read the first time in abbreviated form.

Director 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 Clerk called the roll and the following vote resulted: Directors Harris, Johnson, Miner, Odom, Teeters, and Bell voted aye. Director Peavy abstained from voting. The Mayor declared the motion carried, as there were six ayes and one abstention.

The ordinance was read the second time in abbreviated form.

Director 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 Director Teeters. The Clerk called the roll and the following vote resulted: Directors Harris, Johnson, Miner, Odom, Teeters, and Bell voted aye. Director Peavy abstained from voting. The Mayor declared the motion carried, as there were six ayes and one abstention.

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

### **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, Johnson, Miner, Odom, Teeters, and Bell voted aye. Director Peavy abstained from voting. The Mayor declared the emergency clause adopted, as there were six ayes and one abstention.

### **CITIZEN COMMUNICATION:**

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

- Joe Denmon, 624 Belmont, said he was at the Board meeting tonight to waive his red flag and tell the Board the citizens at 1804 East 9<sup>th</sup> Street needed help. He said the police were having a hard time dealing with the crime rate in this area and he wanted the Board to know the citizens needed help to feel safe.

Mayor Bell said Mr. Denmon needed to speak with Police Chief Bob Harrison regarding his concerns.

- Mayor Bell announced the promotion of Mary Beck to City Planner.
- Mayor Bell also announced the events for the month of September which included the 73<sup>rd</sup> Annual Four States Fair Parade and Second Saturday Trade Days on Saturday, September 9<sup>th</sup>; Cruise Night on Friday, September 15<sup>th</sup>; and Back Alley Food Court on Saturday, September 16<sup>th</sup>.


No one else came forward.

### **ADJOURNMENT:**

Director Odom, seconded by Assistant Mayor Miner, moved to adjourn the meeting. The Clerk called the roll and the following vote resulted: Directors Harris,

Johnson, Miner, Odom, Peavy, Teeters, and Bell voted aye. The Mayor declared the meeting adjourned, as there were seven ayes and no nays.

The meeting adjourned at 6:51 PM.

  
Barbara S. Miner, Assistant Mayor

**ATTEST:**

  
Heather Soyars, City Clerk