City of Hot Springs, Arkansas
Board of Directors
Regular Meeting Minutes

Tuesday, April 15 2014 Board Chambers, City Hall

Invocation by Paula Childs
Pledge of Allegiance to the Flag led by Mayor Ruth Carney
Call to Order

Meeting called to Order by Mayor Ruth Carney at 7:00 p.m.

1. **Roll Call by City Clerk Lance Spicer**

Present 6- Directors Suzanne Davidson-District 1, Elaine Jones-District 2, Becca Clark-District 3, Pat McCabe-District 4, Randy Fale-District 6 and Mayor Ruth Carney. Absent 0. Also present City Manager David Watkins and City Attorney Brian Albright.
Karen Garcia-District 5 was not in attendance until 8:30 and only voted on items 25-29.

2. **Consider Approval of the Agenda**

Motion to Amend the Agenda
Director Suzanne Davidson made a motion, duly seconded by Director Elaine Jones to amend the agenda by removing the following items from the agenda:
Item #8 *Consider Resolution No. R-14-41 A Resolution Adopting Policies, Procedures And Fees For The Sport Recreation Department.*
Item #10 *Consider Resolution No. R-14-43 A Resolution Adopting Policies, Procedures And Fees For The Parks And Trails Department; And Repealing Certain Resolutions.*
Item #13 *Consider Resolution No. R-14-46 A Resolution Repealing Resolution No. 6674,(Parking Permits).*
Item # 22 *Consider Ordinance No. O-14-28 An Ordinance Accepting The Annexation Of Certain Territory, Known As Bayshore Lighthouse Treehouse Annexation, To The City Of Hot Springs, Arkansas; Making Same A Part Of The City Of Hot Springs; Assigning Said Lands To A Zoning District; Revising The Future Land Use Map; Assigning Said Lands To A Board District; And For Other Purposes.*

Upon voice vote, the motion unanimously carried 6-0

Motion to Approve the Agenda as Amended
Director Pat McCabe made a motion, duly seconded by Director Becca Clark to approve the agenda as amended. Upon roll call vote, the motion unanimously carried 6-0.

3. **Consider Minutes of the Board of Directors Meeting:**

- Regular Meeting held on April 1, 2014

Motion to Approve the Minutes as Presented.
Director Elaine Jones made a motion, duly seconded by Director Becca Clark to approve the minutes as presented. Upon voice vote, the motion unanimously carried 6-0.

4. Recognition of Guests

- Mayor Carney welcomed those in attendance and acknowledged the following:
  - The presentation of an AML award from Bob Wright, Crews and Associates.
  - A brief presentation by Janet McAdams outlining the services provided by the Garland County Health Unit.
  - Proclamation Acknowledging Arbor Day
  - Proclamation Acknowledging the National Day of Prayer-Joan Way and Linda Hall
  - Proclamation Acknowledging Sexual Assault Awareness Month-Edna Ramirez and Gabby Martinez

5. City Manager's Report

City Manager David Watkins reported on the following items:

- The Corvette Parade will be held on Friday, May 2nd beginning at 4:00 p.m.
- The City has recently seen two large groundbreakings including, the Courtyard Marriot Hotel and the Oaklawn Expansion.
- Complimented the Planning Department for helping make those groundbreakings possible.
- Acknowledge the work by City staff to obtain an easement from Johnnie and Faye Breckling for further development of the Hot Springs Creek Greenway.

6. Board of Directors Announcements

Director Elaine Jones

- On April 19, from 8:00 -1:00 at the Webb Center, there will be a Health Fair.
- Commented that she was fully aware of how she was voting in regards to the Thermal Basin Fire District Adoption

Director Randy Fale

- Thanked the Brecklings for their contribution.
- The Downtown Game Plan Committee is requesting more public ideas and comments regarding the downtown development.

Director Suzanne Davidson

- The next PACA meeting will be held Monday, April 21st with Margie Hillstead, Operations Manager as the guest speaker.
- April 17th, Artist and Arts Working Meeting at the Convention Center.

Director Pat McCabe

- Reminded motorists to be aware of cyclists in the area.

CONSENT AGENDA

Motion to Approve the Consent Agenda
A motion was made by Director Randy Fale, duly seconded by Director Suzanne Davidson, that the Consent Agenda be approved.

Roll Call Mayor Carney called for a vote on the Motion to Approve the Consent Agenda; and upon roll call, the following voted "aye" Directors Davidson, Jones, Clark, McCabe, Fale and Mayor Carney, total 6. Voting "no" none, total 0; motion carried 6-0.

The Consent Agenda consisted of the following:

7. Consider Resolution No. R-14-40 A Resolution Awarding An Annual Supply Contract (ASC) To B&F Engineering For Certain Professional Services (Surveying).

8. ~~Consider Resolution No. R-14-41 A Resolution Adopting Policies, Procedures And Fees For The Sport Recreation Department.~~ REMOVED FROM AGENDA

9. Consider Resolution No. R-14-42 A Resolution Awarding A Contract To Flossie's Funnel Cakes, Inc. For Certain Professional Services (2014 Kimery Park Concessions).

10. ~~Consider Resolution No. R-14-43 A Resolution Adopting Policies, Procedures And Fees For The Parks And Trails Department; And Repealing Certain Resolutions.~~ REMOVED FROM AGENDA

11. Consider Resolution No. R-14-44 A Resolution Amending Resolution No. 2484, As Amended, (Parks And Recreation Advisory Committee).

12. Consider Resolution No. R-14-45 A Resolution Accepting A Donation Of A Certain Easement From Johnnie M. And Faye Breckling (Hot Springs Creek Greenway Trail).

13. ~~Consider Resolution No. R-14-46 A Resolution Repealing Resolution No. 6674,(Parking Permits).~~ REMOVED FROM AGENDA

14. Consider Resolution No. R-14-47 A Resolution Approving The Purchase Of A 420 Caterpillar Backhoe Loader From Riggs Cat For The Street Department. **$94,327.79**

15. Consider Resolution No. R-14-48 A Resolution Approving The Purchase Of A John Deere Tractor From Maus Implement Company For The City's Urban Forestry Division. **$42,625.24**

16. Consider Resolution No. R-14-49 A Resolution Awarding A Contract To RJN Group For Certain Professional Services (Stormwater Sewer System Mapping). **Not to exceed budgetary constraints)**

17. Consider Resolution No. R-14-50 A Resolution Awarding A Contract To Coakley Construction For The 2014 Water Line Improvement Project, Phase I. **$764,303**

PUBLIC HEARING

18. Consider A Public Hearing On The Issuance Of Waterworks Revenue Refunding And Construction Bonds; Providing For The Payment Of The Principal Of And Interest On The Bonds

This being the time and date set for a public hearing on the issuance of waterworks revenue refunding and construction bonds; providing for the payment of the principal of and interest on the bonds, Mayor Carney declared the public hearing open.

Discussion: Bob Wright, with Crews and Associates, Jim Fowler, with Raymond James
City Manager David Watkins,

There being no further comments, Mayor Carney declared the public hearing closed.

NEW BUSINESS

19. **Consider Condemnation Resolutions**

19A. Consider Resolution No. R-14-51

A Resolution entitled, *"Condemning Certain Real Property at 102 Charteroak Street,"* was taken from the agenda and read by title only (City Attorney).

Motion to Adopt as Read: Thereafter, a motion to adopt as read was made by Director Randy Fale, duly seconded by Director Suzanne Davidson.

Discussion: Bart Jones, Neighborhood Services Manager spoke to the item.

City Attorney, Brian Albright asked if there was anyone present to speak in opposition to the condemnation.

Speakers: none

Roll Call: There being no one to speak in opposition, Mayor Carney called for a vote on the Motion to adopt; and upon roll call, the following voted "aye" Directors Davidson, Jones, Clark, McCabe, Fale and Mayor Carney, total 6. Voting "no", none, total 0; motion carried 6-0.
Whereupon the Resolution was declared adopted.

19B. Consider Resolution No. R-14-52

A Resolution entitled, *"Condemning Certain Real Property at 109 John,"* was taken from the agenda and read by title only (City Attorney).

Motion to Adopt as Read: Thereafter, a motion to adopt as read was made by Director Elaine Jones, duly seconded by Director Suzanne Davidson.

Discussion: Bart Jones, Neighborhood Services Manager spoke to the item.

City Attorney, Brian Albright asked if there was anyone present to speak in opposition to the condemnation.

Speakers: none

Roll Call: There being no one to speak in opposition, Mayor Carney called for a vote on the Motion to adopt; and upon roll call, the following voted "aye" Directors Davidson, Jones, Clark, McCabe, Fale and Mayor Carney, total 6. Voting "no", none, total 0; motion carried 6-0.
Whereupon the Resolution was declared adopted.

19C. Consider Resolution No. R-14-53

A Resolution entitled, *"Condemning Certain Real Property at 113 Elizabeth Terrace,"* was taken from the agenda and read by title only (City Attorney).

Motion to Adopt as Read: Thereafter, a motion to adopt as read was made by Director Elaine Jones, duly seconded by Director Becca Clark.

Discussion: Bart Jones, Neighborhood Services Manager spoke to the item.

City Attorney, Brian Albright asked if there was anyone present to speak in opposition to the condemnation.

Speakers: none

Roll Call: There being no one to speak in opposition, Mayor Carney called for a vote on the Motion to adopt; and upon roll call, the following voted "aye" Directors Davidson, Jones, Clark, McCabe, Fale and Mayor Carney, total 6. Voting "no", none, total 0; motion carried 6-0.
Whereupon the Resolution was declared adopted.

19D. Consider Resolution No. R-14-54

A Resolution entitled, *"Condemning Certain Real Property at 109 Oriole,"* was taken from the agenda and read by title only (City Attorney).

Motion to Adopt as Read: Thereafter, a motion to adopt as read was made by Director Suzanne Davidson, duly seconded by Director Becca Clark.

Discussion: Bart Jones, Neighborhood Services Manager spoke to the item.

City Attorney, Brian Albright asked if there was anyone present to speak in opposition to the condemnation.

Speakers: none

Roll Call: There being no one to speak in opposition, Mayor Carney called for a vote on the Motion to adopt; and upon roll call, the following voted "aye" Directors Davidson, Jones, Clark, McCabe, Fale and Mayor Carney, total 6. Voting "no", none, total 0; motion carried 6-0.
Whereupon the Resolution was declared adopted.

19E. Consider Resolution No. R-14-55

A Resolution entitled, *"Condemning Certain Real Property at 207 David,"* was taken from the agenda and read by title only (City Attorney).

Motion to Adopt as Read: Thereafter, a motion to adopt as read was made by Director Elaine Jones, duly seconded by Director Suzanne Davidson.

Discussion: Bart Jones, Neighborhood Services Manager spoke to the item.

City Attorney, Brian Albright asked if there was anyone present to speak in opposition to the condemnation.

Speakers: none

Roll Call: There being no one to speak in opposition, Mayor Carney called for a vote on the Motion to adopt; and upon roll call, the following voted "aye" Directors Davidson, Jones, Clark, McCabe, Fale and Mayor Carney, total 6. Voting "no", none, total 0; motion carried 6-0.
Whereupon the Resolution was declared adopted.

19F. Consider Resolution No. R-14-56

A Resolution entitled, *"Condemning Certain Real Property at 207 Oma,"* was taken from the agenda and read by title only (City Attorney).

Motion to Adopt as Read: Thereafter, a motion to adopt as read was made by Director Elaine Jones, duly seconded by Director Becca Clark.

Discussion: Bart Jones, Neighborhood Services Manager spoke to the item.

City Attorney, Brian Albright asked if there was anyone present to speak in opposition to the condemnation.

Speakers: none

Roll Call: There being no one to speak in opposition, Mayor Carney called for a vote on the Motion to adopt; and upon roll call, the following voted "aye" Directors Davidson, Jones, Clark, McCabe, Fale and Mayor Carney, total 6. Voting "no", none, total 0; motion carried 6-0.
Whereupon the Resolution was declared adopted.

19G. Consider Resolution No. R-14-57

A Resolution entitled, *"Condemning Certain Real Property at 217 Potter,"* was taken from the agenda and read by title only (City Attorney).

Motion to Adopt as Read: Thereafter, a motion to adopt as read was made by Director Pat McCabe, duly seconded by Director Elaine Jones.

Discussion: Bart Jones, Neighborhood Services Manager spoke to the item.

City Attorney, Brian Albright asked if there was anyone present to speak in opposition to the condemnation.

Speakers: none

Roll Call: There being no one to speak in opposition, Mayor Carney called for a vote on the Motion to adopt; and upon roll call, the following voted "aye" Directors Davidson, Jones, Clark, McCabe, Fale and Mayor Carney, total 6. Voting "no", none, total 0; motion carried 6-0.
Whereupon the Resolution was declared adopted.

19H. Consider Resolution No. R-14-58

A Resolution entitled, *"Condemning Certain Real Property at 219 Potter,"* was taken from the agenda and read by title only (City Attorney).

Motion to Adopt as Read: Thereafter, a motion to adopt as read was made by Director Suzanne Davidson, duly seconded by Director Elaine Jones.

Discussion: Bart Jones, Neighborhood Services Manager spoke to the item.

City Attorney, Brian Albright asked if there was anyone present to speak in opposition to the condemnation.

Speakers: none

Roll Call: There being no one to speak in opposition, Mayor Carney called for a vote on the Motion to adopt; and upon roll call, the following voted "aye" Directors Davidson, Jones, Clark, McCabe, Fale and Mayor Carney, total 6. Voting "no", none, total 0; motion carried 6-0.
Whereupon the Resolution was declared adopted.

19I. Consider Resolution No. R-14-59

A Resolution entitled, *"Condemning Certain Real Property at 220 Elizabeth Terrace,"* was taken from the agenda and read by title only (City Attorney).

Motion to Adopt as Read: Thereafter, a motion to adopt as read was made by Director Elaine Jones, duly seconded by Director Randy Fale.

Discussion: Bart Jones, Neighborhood Services Manager spoke to the item.

City Attorney, Brian Albright asked if there was anyone present to speak in opposition to the condemnation.

Speakers: none

Roll Call: There being no one to speak in opposition, Mayor Carney called for a vote on the Motion to adopt; and upon roll call, the following voted "aye" Directors Davidson, Jones, Clark, McCabe, Fale and Mayor Carney, total 6. Voting "no", none, total 0; motion carried 6-0.
Whereupon the Resolution was declared adopted.

19J. Consider Resolution No. R-14-560

A Resolution entitled, *"Condemning Certain Real Property at 241 Roanoke,"* was taken from the agenda and read by title only (City Attorney).

Motion to Adopt as Read: Thereafter, a motion to adopt as read was made by Director Randy Fale, duly seconded by Director Elaine Jones.

Discussion: Bart Jones, Neighborhood Services Manager spoke to the item.

City Attorney, Brian Albright asked if there was anyone present to speak in opposition to the condemnation.

Speakers: none

Roll Call: There being no one to speak in opposition, Mayor Carney called for a vote on the Motion to adopt; and upon roll call, the following voted "aye" Directors Davidson, Jones, Clark, McCabe, Fale and Mayor Carney, total 6. Voting "no", none, total 0; motion carried 6-0.
Whereupon the Resolution was declared adopted.

19K. Consider Resolution No. R-14-61

A Resolution entitled, *"Condemning Certain Real Property at 317 Hobson,"* was taken from the agenda and read by title only (City Attorney).

Motion to Adopt as Read: Thereafter, a motion to adopt as read was made by Director Becca Clark, duly seconded by Director Elaine Jones.

Discussion: Bart Jones, Neighborhood Services Manager spoke to the item.

City Attorney, Brian Albright asked if there was anyone present to speak in opposition to the condemnation.

Speakers: none

Roll Call: There being no one to speak in opposition, Mayor Carney called for a vote on the Motion to adopt; and upon roll call, the following voted "aye" Directors Davidson, Jones, Clark, McCabe, Fale and Mayor Carney, total 6. Voting "no", none, total 0; motion carried 6-0.
Whereupon the Resolution was declared adopted.

20. Consider Resolution No. R-14-62

A Resolution entitled, *"A Resolution Awarding A Contract To Proshot Concrete, Inc For Hot Springs Creek Tunnel Improvements"*, was taken from the agenda and read by title only (City Attorney).

Motion to Adopt as Read: Thereafter, a motion to adopt as read was made by Director Elaine Jones, duly seconded by Director Becca Clark.

Discussion: Denny McPhate, Public Works Director spoke to the item.

Speakers:

Roll Call: Mayor Carney called for a vote on the Motion to adopt; and upon roll call, the following voted "aye" Directors Davidson, Jones, Clark, McCabe, Fale and Mayor Carney, total 6. Voting "no", none, total 0; motion carried 6-0
Whereupon the Resolution was declared adopted

21. Proposed Ordinance No. O-14-27

Motion to Suspend Rules and Read by Title Only: A motion was made by Director Randy Fale, duly seconded by Director Elaine Jones, that the rules be suspended and the Ordinance be read once by title only; and upon voice vote, the motion unanimously carried 6-0.

An Ordinance entitled, *"An Authorizing The Issuance Of Waterworks Revenue Refunding And Construction Bonds; Providing For The Payment Of The Principal Of And Interest On The Bonds; Prescribing Other Matters Relating Thereto; And Declaring An Emergency,"* was taken from the agenda and read by title only (City Attorney).

Motion to Adopt as Read: Thereafter, a motion to adopt as read was made by Director Elaine Jones, duly seconded by Director Becca Clark.

Discussion: Dorethea Yates, Finance Director, spoke to the item.

Speakers:

Roll Call: Mayor Carney called for a vote on the Motion to adopt; and upon roll call, the following voted "aye" Directors Davidson, Jones, Clark, McCabe, Fale and Mayor Carney, total 6. Voting "no", none, total 0; motion carried 6-0.

Whereupon the Ordinance was declared adopted.

Emergency Clause City Attorney Brian Albright then read the Emergency Clause located in Section 27. Upon completion Director Suzanne Davidson made a motion, duly seconded by Director Elaine Jones to approve the Emergency Clause. Upon roll call, the following voted "aye" Directors Davidson, Jones, Clark, McCabe, Fale and Mayor Carney, total 6. Voting "no", none, total 0; motion carried 6-0.

Roll Call: Mayor Carney called for a vote on the Motion to adopt; and upon roll call, the following voted "aye" Directors Davidson, Jones, Clark, McCabe, Garcia, Fale and Mayor Carney, total 7. Voting "no", none, total 0; motion carried 7-0

Whereupon the Ordinance was declared adopted.

27. Proposed Ordinance No. O-14-33

Motion to Suspend Rules and Read by Title Only: A motion was made by Director Becca Clark, duly seconded by Director Elaine Jones, that the rules be suspended and the Ordinance be read once by title only; and upon voice vote, the motion unanimously carried 7-0.

An Ordinance entitled, *"An Ordinance Amending The Hot Springs Transportation Center And Exchange Street Parking Plaza Ordinance No. 6525, (As Amended); And For Other Purposes,"* was taken from the agenda and read by title only (City Attorney).

Motion to Adopt as Read: Thereafter, a motion to adopt as read was made by Director Elaine Jones, duly seconded by Director Suzanne Davidson.

Discussion: Denny McPhate, Public Works Director spoke to the item.

Speakers: none

Roll Call: Mayor Carney called for a vote on the Motion to adopt; and upon roll call, the following voted "aye" Directors Davidson, Jones, Clark, McCabe, Garcia, Fale and Mayor Carney, total 7. Voting "no", none, total 0; motion carried 7-0

Whereupon the Ordinance was declared adopted.

BOARD COMMENTARY

28. Board of Directors' Items for Discussion

29. ADJOURNMENT

There being no further business to come before the Board, a motion was made by Director Randy Fale, duly seconded by Director Elaine Jones, that the meeting be adjourned; and upon voice vote, the motion unanimously carried 7-0. The Meeting adjourned at 8:53 p.m. to meet again on Tuesday, May 6, 2014, at 7:00 p.m.

ATTEST: _____
Lance Spicer, City Clerk

APPROVED: Ruth Carney
Ruth Carney, Mayor