

MINUTES

BOARD OF DIRECTORS MEETING

MARCH 18, 2008, AT 7:00 P.M.

The regular meeting of the Board of Directors was held on Tuesday, March 18, 2008, at 7:00 p.m., Board Chambers, City Hall, with Mayor Mike Bush presiding.

The invocation was given by Mr. Les Warren, and Pledge of Allegiance to the Flag was led by Mayor Bush.

Mayor Bush called the meeting to order at 7:00 p.m.

1 Roll Call

Roll call was as follows: Present: Directors Peggy Maruthur, Elaine Jones, Steve Smith, Carroll Weatherford, Bill Edwards, Tom Daniel, and Mike Bush, total 7.

2 Approval of Agenda

A motion was made by Director Daniel, duly seconded by Director Edwards, that the agenda be approved.

Upon discussion, City Attorney Brian Albright advised that regarding Item No. 12 (Proposed Resolution No. R-08-66 Granting a Conditional Use Permit for Country Club Gardens Long-Term Nursing Facility at 2605 Malvern Avenue), the City received a letter today from Mr. Pat McCabe, President/CEO of Levi Hospital, asking that their appeal on the 2605 Malvern Avenue property be withdrawn. He pointed out they are no longer seeking their appeal, and there would be no action taken by the Board tonight. Therefore, he suggested that it be removed from the agenda.

Mayor Bush then called for a vote on the motion to approve the agenda, as amended; and upon roll call, the following voted "aye": Directors Maruthur, Jones, Smith, Weatherford, Edwards, Daniel, and Bush, total 7; motion unanimously carried.

3 Approval of Minutes of March 3, 2008 Board Meeting

A motion was made by Director Daniel, duly seconded by Director Maruthur, that the minutes of the March 3, 2008 Board Meeting be approved; and upon voice vote, the motion unanimously carried.

4 Recognition of Guests

Police Chief Bobby Southard introduced recently hired police officers Ms. Stacy Bassett, Ms. Shannon Smith, and Mr. Brandon Jones.

Director Daniel requested that the Board keep in their thoughts and prayers the family of Ray and Glenda Shoptaw in the loss of their son today.

Director Maruthur reported there was an electrical fire at Haven United Methodist Church at 655 Park Avenue, which is an integral part of the community. She expressed appreciation to Ms. Hazel Wright, Ms. Gloria DuPree, Ms. Belinda Johnson, and Brother Chester R. Jones, district superintendent. She mentioned at some later meetings, there will be an account set up for contributions and volunteering, and the telephone number where they can be reached is 622-2512. She noted there has been an outpouring from the community and expressed appreciation to Mr. John Robinson, pastor at Pullman Heights Methodist Church, who has been working closely with Mr. Chester Jones. At this time, she called on Director Elaine Jones, who offered a prayer for Haven United Methodist Church.

Director Maruthur stated she was elected to the Board of Directors on March 8, 1994, and would like to give back to the City. She then presented a municipal calculator, which is engraved and goes with the City's logo, and was accepted by Mayor Bush and City Attorney Brian Albright.

5 Acknowledgment of Financial Statements for December 2007 thru January 2008

Mayor Bush announced that the Financial Statements for December 2007 thru January 2008 are on file in the Finance Department for review by the Board and the public.

CONSENT AGENDA

The Consent Agenda consisted of the following:

- 6 Public Safety Report** (March 5, 2008).
- 7 Proposed Resolution No. R-08-61** Approving Certain Bid Awards (a) Roll-Off and Recycling Containers - Sanitation [awarded to N.E.O. Fab in the amount of \$37,922]; (b) Ford F-150 Pickup Truck - Sewer Collection [awarded to Landers Ford in the amount of \$12,646.50]; (c) Chevrolet Colorado Truck - Sewer Lift [awarded to Landers Chevrolet in the amount of \$16,524]; (d) Ford Ranger Compact Truck - Meter Reader [awarded to Landers Ford in the amount of \$11,708.50]; (e) Two Chevrolet Colorado Trucks - Water Distribution and Meter Maintenance [awarded to Landers Chevrolet in the amount of \$33,588]; (f) Two Chevrolet Silverado Trucks - Water Distribution and Sewer Lift [awarded to Landers Chevrolet in the amount of \$42,556]; (g) Two Dodge Nitros - Public Works Director and Stormwater Coordinator [awarded to Landers Dodge in the amount of \$38,622]; (h) Ford 250 Pickup Truck - Property Maintenance [awarded to Landers Ford in the amount of \$18,205.70]; (i) Road Bores - Utility Administration [annual supply contract awarded to Coakley Company]; (j) Mowing - Parks, Public Works, Finance, Airport, and Intracity Transit [annual supply contract awarded to Adarose and Spa Landscape]; (k) Manhole Frames/Covers - Public Works [annual supply contract awarded to Deeter Foundry]; (l) Flygt Pumps per Ordinance No. 5563 - Utility Administration Hot Springs Creek Pump Station [awarded to Jack Tyler Engineering in the amount of \$162,143]; (m) Flygt Pumps per Ordinance No. 5563 - Utility Administration Mid-America Pump Station [awarded to Jack Tyler Engineering in the amount of \$20,946]; (n) Ford Ranger Compact Truck - Code Compliance [awarded to Landers Ford in the amount of \$11,501.50].
- 8 Proposed Resolution No. R-08-62** Amending Resolution No. 4647 by Deleting the Airport Advisory Committee from the Requirements of Said Resolution.

- 9** **Proposed Resolution No. R-08-63** Accepting a Grant from the Arkansas State Highway and Transportation Department, Arkansas Recreational Trails Program, for the Valley Street Creekwalk Project (Phase I).
- 10** **Proposed Resolution No. R-08-64** Awarding a Contract for Engineering Services to Engineers, Inc. for 2008 Annual Water Improvements Design Project.
- 11** **Proposed Resolution No. R-08-65** Awarding a Contract for Appraisal Services Related to the Higdon Ferry Road Widening Project, Phase II (AHTD Job No. 061113), to Frank Manzer and Associates.

A motion was made by Director Smith, duly seconded by Director Jones, that the Consent Agenda be approved; and upon roll call, the following voted "aye": Directors Maruthur, Jones, Smith, Weatherford, Edwards, Daniel, and Bush, total 7; motion unanimously carried.

NEW BUSINESS

- 12** **Proposed Resolution No. R-08-66** Granting a Conditional Use Permit for Country Club Gardens Long-Term Nursing Facility at 2605 Malvern Avenue. **(Withdrawn from the Agenda by the Appellant)**
- 13** **Proposed Ordinance No. O-08-24**

An ordinance entitled, "AN ORDINANCE AMENDING THE ZONING CODE BY ADOPTING A REVISED PLANNED DEVELOPMENT DISTRICT SITE PLAN FOR 200 CORPORATE TERRACE," was taken from the agenda for consideration.

A motion was made by Director Smith, duly seconded by Director Edwards, that the rules be suspended and the ordinance be read for the first time by title only; and upon voice vote, the motion unanimously carried. The ordinance was then read for the first time by title only; and upon the question "Shall the ordinance be passed as read?" and upon motion of Director Daniel, duly seconded by Director Smith, that the ordinance be passed as read.

Upon discussion, Ms. Kathy Sellman, Planning and Development Director, stated this is a request to amend the zoned district Planned Development, located at 200 Corporate Terrace, to construct two hotels on five acres; and the Comprehensive Plan designates this Linear Commercial Corridor. The proposed developed is expected to be a Marriott Courtyard Hotel with 100 rooms and six stories and Marriott Residence Inn with 140 rooms with six stories. She stated the site plan, along with any approval conditions, will be regulatory. She noted it depicts the location and arrangement of the allowed uses (the two hotels and the associated access and circulation, signs, parking, and landscaping). She advised the recommendation is approval from the staff and Planning Commission, and the Planning Commission held a public hearing at which time the recommendation was for approval of the two hotels and the associated development with five conditions.

City Attorney Brian Albright pointed out this not a rezoning and was already a PD zone. Ms. Sellman advised that is correct. She added the uses, arrangement, etc. are proposed specifically, and then the Planning Commission and the Board of Directors act to approve that.

Mr. Ray Owen, 110 Leigh Circle, and law office at 209 Hobson, commended the Planning staff, the Fire Department, Public Works Director and staff, and the Urban Forester for their work in developing this project. He stressed the importance of the work of the Urban Forester in this project pointing out he helped select the right type of trees for screening. He commended the City for hiring the Urban Forester, Mr. Chuck Daniels, and urged the Board to vote for the ordinance.

Mayor Bush then called for a vote on the motion to adopt; and upon roll call, the following voted "aye": Directors Maruthur, Jones, Smith, Weatherford, Edwards, Daniel, and Bush, total 7; motion unanimously carried. Whereupon the ordinance was declared passed.

14 Proposed Resolution No. R-08-67

A resolution entitled, "A RESOLUTION APPROVING THE SCHEMATIC DESIGN AND PRELIMINARY COST ESTIMATE FOR THE HISTORIC DOWNTOWN FARMERS' MARKET PERMANENT FACILITY," was taken from the agenda and read by title only.

A motion was made by Director Edwards, duly seconded by Director Daniel, that the resolution be adopted as read.

Upon discussion, City Manager Kent Myers advised that he spoke with Mr. Denny McPhate today; and he and Architect Doug Arnold were trying to resolve some floodplain questions and apparently they have not resolved those since Mr. Arnold is not present. Therefore, this item needs to be removed from the agenda tonight and allow them to resolve those final floodplain questions.

A motion was made by Director Maruthur, duly seconded by Director Jones, that the resolution be tabled for three weeks (April 7); and upon voice vote, the motion unanimously carried.

15 Proposed Resolution No. R-08-68

A resolution entitled, "A RESOLUTION AWARDED A CONTRACT TO BB&B CONSTRUCTION FOR 2007 ANNUAL WATER LINE IMPROVEMENTS," was taken from the agenda and read by title only.

A motion was made by Director Weatherford, duly seconded by Director Edwards, that the resolution be adopted as read.

Upon discussion, Public Works Director Steve Mallett stated the recommendation is to approve the low bid submitted by BB&B Construction for the 2007 annual water line improvements in the amount of \$361,685. He explained this is a hold-over project from last year that the City was not able to bid until recently, and bids were received from six different contractors. He advised this contract includes water line replacements at four locations around Barker Street, Tuggle Street, West Grand, and Brookdell Street.

Mayor Bush then called for a vote on the motion to adopt; and upon roll call, the following voted "aye": Directors Maruthur, Jones, Smith, Weatherford, Edwards, Daniel, and Bush, total 7; motion unanimously carried. Whereupon the resolution was declared adopted.

16 Proposed Resolution No. R-08-69

A resolution entitled, "A RESOLUTION AWARDED A CONTRACT TO BB&B CONSTRUCTION FOR PARK AVENUE WATER IMPROVEMENTS, PHASE II," was taken from the agenda and read by title only.

A motion was made by Director Maruthur, duly seconded by Director Weatherford, that the resolution be adopted as read.

Upon discussion, Public Works Director Steve Mallett stated this is a 2008 project for Park Avenue Water Improvements, Phase II, in the amount of \$539,380 to BB&B Construction. Nine bids were received from different contractors, and BB&B was the lowest, qualified bid. This contract includes water line replacements in the Park Avenue area (Circle Drive, Mineral Street, Mountain Valley Street, State Street, Bower Street, Reynolds Street, and Russell Street).

Director Maruthur asked that he explain the existing size of the pipe and what is going to be replaced. Mr. Mallett replied that most of what the City is replacing is old, two-inch galvanized lines which have a life in the ground of about 20 or 25 years, and most of that will be replaced with at least a six-inch line. He added there may be some eight-inch lines but nothing larger than eight-inches, which will allow for fire flows in places where they have not been before and increase the circulation in the other areas so there should be an increase in pressure and fire flows in that area.

Director Edwards questioned if the existing lines will remain where they are and a new line placed parallel, and Mr. Mallett advised the City will abandon the existing lines in place but will not dig up the existing lines. He stated the City will either put the new lines directly beside them; or if it warrants, they may drop to the other side of the street in case there is more room over there. He said in most cases, they run them side-by-side so they have to tie the services off to the same main. He noted it is easier to do that when it is in the same location. He pointed out in Phase I, when they finished replacing all the lines, they did see a drop in the amount of water to deliver to that end of town. He pointed out there was obviously a substantial amount of leakage.

Director Maruthur commented that the bypass will be cost-effective because there are so many breaks the City is experiencing and will actually save the taxpayers money, and the Utility personnel has to respond in the middle of the night for these water main breaks. Mr. Mallett replied that is correct, and this will also conserve water.

Mayor Bush then called for a vote on the motion to adopt; and upon roll call, the following voted "aye": Directors Maruthur, Jones, Smith, Weatherford, Edwards, Daniel,

and Bush, total 7; motion unanimously carried. Whereupon the resolution was declared adopted.

OTHER BUSINESS

17 Board of Directors Items

Director Edwards expressed appreciation to everyone for their kindness and help during his absence.

Director Maruthur pointed out for clarification that Director Jones is married to a Chester Jones; and Brother Chester R. Jones, the district superintendent for the South Central District Office, is not her husband.

Director Smith reported on his trip to the National League of Cities last week and thanked the citizens and the City for allowing him to go. He stated on Monday, he attended two workshops; and the Iraq War is costing \$12 billion a month, which is starting to affect everyone's budget, and imported oil is costing \$16 million an hour. Both of the Senators and Congressman Mike Ross have signed to support an energy-efficient block grant program. He stated it is a five-year plan and is going to try to generate \$2 billion a year for cities. These cities have to be over 30,000 to receive the grants, but they are allowing cities to restore some of their older buildings and make it more energy efficient (HR6). On Tuesday morning, he attended a workshop on effective lobbying techniques; and Tuesday, they met with Senators Lincoln and Pryor, as well as spending some time in Congressman Ross' office. He said they were very accommodating, but money is tight in Washington DC. On Wednesday morning, they had breakfast with Congressman Mike Ross and his staff and returned home on Wednesday. He said he believes this trip was very effective, and there is no substitute for meeting the Congressional delegation face-to-face. He pointed out that their staff listens and are very receptive. He stated they know what is happening in Hot Springs and Garland County, and they were able to spend more time with the group than normal. He said if anyone has any questions regarding the trip or his role in it, he will be glad to answer them.

Director Jones mentioned that Mayor Bush was greatly missed, and they asked about his health and would see him next year. She stated that one of the staff members explained that they had rather see them in person than talk to them over the internet or the telephone. She mentioned that Director Smith asked if they should start

contacting the Little Rock office, and they said they should not and had rather meet with them once a year.

Director Maruthur said she believes that direct contact is the best way to get things done.

18 City Manager's Report

City Manager Kent Myers gave the following report:

1. The trip to Washington, DC was very productive, but the money is tight; and the war effort is taking a lot of the funds. There is very little discretionary money available for city government-type programs. If there is some money available, the Police Department, Transit, and Parks Department have submitted appropriation requests. If there is some discretionary money available, the City will make sure it gets its part. They appreciated the fact that the City had complete applications that were presented in a timely manner and may pay as it did this past year when the Police Department received over \$300,000 in earmarked money for police computers. He thanked Directors Smith and Jones for going on the trip and stated the Hot Springs delegation was very well received in all of the offices. He stated it is obvious in meeting with the delegations, the important thing is the contacts the groups make with the staff in Washington, DC. Most of the staff members are career employees, and they know the appropriations process. They love Hot Springs and like to talk about what is going on here. That kind of one-on-one relationship that the delegation only gets when they go to DC really pays off for the City throughout the year.

2. A couple of employees were recognized during the last week. Mr. Jeff Fields, Public Information Assistant, received a complimentary e-mail. The Public Information Department issues a number of press releases throughout the month, which are left on the City's website. He received a positive comment from Mr. John Archibald of Benton, Arkansas, regarding the e-mail updates about City Hall activities. The City received several accolades from the developer and engineer of the project at the County Fairground, and this one came from the engineer from Adams Engineering, which handles all the engineering for the new commercial center. He complimented the city staff for their diligence and efforts in making this project a reality. This is a team that consists of the City's Fire Marshal, Public Works Director, Planning Director, and Building Official.

3. On the Consent Agenda, the Board approved accepting a grant from the Arkansas State Highway and Transportation Department for the Valley Street

Creekwalk project. This is to extend the Greenway from Grand Avenue to Runyon Street. This funding is \$80,000 and will allow the City to get started on the construction of that next phase, which will eventually tie into the area by the Boys Club and continuing down to Hollywood Park and farther south.

4. There have been needs expressed by one of the hotel developers to get thermal water extended to the Holiday Inn. He talked to the owner of the Holiday Inn today, and the City is going to explore some alternatives to try to get the thermal water to the Holiday Inn. In 2000, the City had some money appropriated through the National Park Service that allowed for a comprehensive engineering study of the tunnel.

The City hired Atoka Engineering, which did an outstanding job; and they spent a lot of time in the tunnel. They recommended removal of debris in the tunnel; the construction of new inlet structures; removal of utility lines that were no longer being used in the tunnel; and that the City not install any more utility lines. That recommendation was brought forward, and that report was shared with the Board, the general public, and the National Park Service. Apparently, word has not been forwarded to the Holiday Inn and some of the other developers. Now, they are wondering how they are going to get thermal water extended to their project. There will be a meeting with the Holiday Inn and try to identify some alternate routes that will not require use of the tunnel. Today, the City met with Atoka Engineering and Ms. Josie Fernandez, along with other National Park Service staff. The City is also looking at bringing Atoka back for an update of that study and to assist in looking at some other alternatives for handling the flooding problem in the downtown area.

5. This morning, he had the third City Manager's coffee at the Quapaw Community Center. He thanked Director Smith for allowing them to use the facility. There were seven residents to attend the meeting, and he will be providing a written report to the Board on the comments and questions that came up during the meeting. The next coffee will be held at the National Park Café; and after that, he will re-evaluate and see if that is something that is productive and if the City wants to continue. Once the date has been set, he will notify the Board.

Director Maruthur mentioned the repair of the inlets and the archway were the result of the FEMA funds that were left over. She also noted that Atoka Engineering is an environmentally, friendly engineering company, which is important in this process. She asked if there was information available about Operation Clean Sweep in District 1.

Mr. Bill Burrough, Sanitation Director, reported that Operation Clean Sweep is another partnership with several members of the city staff from Planning, Neighborhood Services, Sanitation, and other City employees. He stated their role, as Sanitation Department, is to go in the second week of that event. This was held in a very large portion of District 1, and Neighborhood Services placed a packet of information on every door in that particular area letting them know of things that need to take place at that particular residence. One of the things in there is that the Sanitation Department would haul away any debris they may have, whether it be in the yard, litter on the street, garage, etc. to help clean up that area. The goal of this is take a specific large area of the City and try to have an impact. In a week's time, they collected over 41 tons of debris. He reported they received numerous calls from residents thanking them for the program and how it has made a positive effect on the neighborhood. Also, there were several tons of litter that they picked up.

Director Maruthur expressed appreciation for a job well-done, and they tried to time it with spring cleaning.

Mr. Burrough advised that the Spring Fling will be April 26 and 27.

Director Smith expressed appreciation to City Manager Kent Myers for holding his coffee this morning at the Quapaw Community Center. He wished everyone a Happy Easter, which will be on Sunday, March 23.

19 ADJOURNMENT

There being no further business to come before the Board, the meeting adjourned at 7:45 p.m., to meet again on Monday, April 7, 2008, at 7:00 p.m.

ATTEST: _____

APPROVED: _____

Lance Hudnell, City Clerk

Mike Bush,

Mayor