

MINUTES

BOARD OF DIRECTORS MEETING

JULY 1, 2008, AT 7:00 P.M.

The regular meeting of the Board of Directors was held on Tuesday, July 1, 2008, at 7:00 p.m., Board Chambers, City Hall, with Mayor Mike Bush presiding.

The invocation was given by Ms. Drew Terry, 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, Steve Smith, Carroll Weatherford, Tom Daniel, and Mike Bush, total 5. Absent: Director Elaine Jones.

2 Approval of Agenda

Mayor Bush announced that Item No. 16 (Proposed Ordinance No. O-08-47 Approving a Revision and Restatement of an Interlocal Agreement with Garland County for Detention Services) needs to be removed from the agenda. City Attorney Brian Albright advised that he has been contacted by the County, and there are some minor changes that need to be made. He added the County will review the agreement at its Finance Committee meeting on Monday and to the full Quorum Court on July 14; therefore, the Board can consider this at its July 15 meeting.

A motion was made by Director Smith, duly seconded by Director Maruthur, that the agenda be approved, as amended; and upon voice vote, the motion unanimously carried.

3 Approval of Minutes of June 16, 2008 Board Meeting

A motion was made by Director Daniel, duly seconded by Director Maruthur, that the minutes of the June 16, 2008 Board Meeting be approved; and upon voice vote, the motion unanimously carried.

4 Recognition of Guests

No guests were present for recognition.

CONSENT AGENDA

The Consent Agenda consisted of the following:

5 **Public Safety Report** (June 18, 2008).

6 **Proposed Resolution No. R-08-154** Approving Certain Bid Awards (a) Aluminum Sulfate - Utility Administration [annual supply contract] (**Reject and Rebid**); (b) HVAC Noncomprehensive - Public Works and All Departments [annual supply contract awarded to GTS, Inc.]; (c) HVAC Comprehensive - Public Works and All Departments [annual supply contract awarded to Powers of Arkansas]; (d) Ten-Yard Dump Truck - Utility Administration [awarded to Glover's Truck in the amount of \$75,513]; (e) Light Weight Turnouts - Fire Department [annual supply contract awarded to Flamebuster, Casco, and Pro-Fire]; and (f) Seals and Bearings - Utility Administration [annual supply contract awarded to Triplex].

7 **Proposed Resolution No. R-08-155** Authorizing the Filing of a Grant Application with the Federal Emergency Management Agency Pursuant to the Commercial Equipment Direct Assistance Program (CEDAP) for Ocean Systems dTective Forensic Video and Image Clarification System.

8 **Proposed Resolution No. R-08-156** Authorizing the Filing of a Grant Application with the Arkansas Department of Parks and Tourism Outdoor Recreation Grant Program for Whittington City Park. (**Removed from the Agenda**)

9 **Proposed Resolution No. R-08-157** Accepting a Grant from the National Park Service Challenge Cost Share Program for Construction of a Portion of Valley Street Creekwalk.

10 Proposed Resolution No. R-08-158 Accepting a Certified Local Government Grant from the Arkansas Historic Preservation Program to Provide Funding for Historic District Commissioners and Staff Training.

11 Proposed Resolution No. R-08-159 Awarding a Contract to Garver Engineers, Inc. for Certain Engineering Services (Hot Springs Wastewater System Evaluation).

12 Proposed Resolution No. R-08-160 Awarding a Contract to Coakley Company, Inc. for Music Mountain Water Line Construction.

A motion was made by Director Daniel, duly seconded by Director Weatherford, that the Consent Agenda be approved.

Upon discussion, Director Maruthur requested that Item No. 8 (Proposed Resolution No. R-08-156 Authorizing the Filing of a Grant Application with the Arkansas Department of Parks and Tourism Outdoor Recreation Grant Program for Whittington City Park) be removed from the agenda.

Mayor Bush then called for a vote on the motion to approve the Consent Agenda, as amended; and upon roll call, the following voted "aye": Directors Maruthur, Smith, Weatherford, Daniel, and Bush, total 5. Absent and not voting: Director Jones; motion unanimously carried.

NEW BUSINESS

13 Proposed Resolution No. R-08-161

A resolution entitled, "A RESOLUTION APPROVING A PRELIMINARY SUBDIVISION TO DEVELOP THREE RESIDENTIAL LOTS ON .8357 ACRES AT SPARLING POINT," was taken from the agenda and read by title only. **(Appeal)**

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

Upon discussion, City Attorney Brian Albright advised that the applicant is Mr. Lee Beasley, who is represented by Attorney Brian Reis. He stated Mr. Reis contacted him yesterday, and there has been a consolidation of ownership of the proposed property to be developed, and they are going to submit a revised plan and would like for the Planning Commission to be able to re-hear this matter. He said they have asked that this issue be remanded to the Planning Commission for further hearings on their proposal.

Ms. Kathy Sellman, Planning and Development Director, advised this is a request to approve a three-lot subdivision known as Sparling Point; and this application was heard by the Planning Commission at its June 12 meeting. She said it was their finding that the applicant had failed to provide right-of-way easement and design data that were sufficient for them to find the application to be in compliance with the required sections of the Hot Springs Code; therefore, their denial. She added if the applicant is able to provide the missing information, then the place for that to be considered is the Planning Commission. Therefore, she is recommending that the Board remand this project to the Planning Commission.

A motion was made by Director Smith, duly seconded by Director Maruthur, to remand the project to the Planning Commission; and upon roll call, the following voted "aye": Directors Maruthur, Smith, Weatherford, Daniel, and Bush, total 5. Absent and not voting: Director Jones; motion unanimously carried.

14 Proposed Ordinance No. O-08-45

An ordinance entitled, "AN ORDINANCE AMENDING THE ZONING CODE OF THE CITY OF HOT SPRINGS, ARKANSAS, BY REZONING PROPERTY AT 3500 BLOCK OF CENTRAL FROM R-3, LOW MEDIUM DENSITY RESIDENTIAL, TO C-4, REGIONAL COMMERCIAL OPEN DISPLAY DISTRICT; AND AMENDING THE FUTURE LAND USE MAP BY RECLASSIFYING CERTAIN REAL PROPERTY AT 3500 BLOCK OF CENTRAL," was taken from the agenda for consideration.

A motion was made by Director Daniel, duly seconded by Director Maruthur, 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 Weatherford, that the ordinance be passed as read.

Upon discussion, Ms. Kathy Sellman, Planning and Development Director, advised this is a request by Shaw Construction, LLC, for C-4 zoning for split zone property (1.2 acres) that is located at the 3500 block of Central. She stated the Planning Commission heard this request on June 12 and recommended by a vote of 6-0 that the Board approve the ordinance.

Mayor Bush then called for a vote on the motion to adopt; and upon roll call, the following voted "aye": Directors Maruthur, Smith, Weatherford, Daniel, and Bush, total 5. Absent and not voting: Director Jones; motion unanimously carried. Whereupon the ordinance was declared passed.

15 Proposed Ordinance No. O-08-46

An ordinance entitled, "AN ORDINANCE AMENDING THE ZONING CODE OF THE CITY OF HOT SPRINGS, ARKANSAS, BY REZONING PROPERTY AT 1514 MALVERN AVENUE FROM R-4, MEDIUM HIGH DENSITY RESIDENTIAL, TO C-3, OFFICE NEIGHBORHOOD COMMERCIAL, AND AMENDING THE FUTURE LAND USE MAP BY RECLASSIFYING CERTAIN REAL PROPERTY AT 1514 MALVERN AVENUE," was taken from the agenda for consideration.

A motion was made by Director Maruthur, duly seconded by Director Smith, 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 Smith, duly seconded by Director Maruthur, that the ordinance be passed as read.

Upon discussion, Ms. Kathy Sellman, Planning and Development Director, stated this property is approximately 5.875 acres and is currently vacant. She said it is located within the Malvern Avenue Overlay, and development of the site would be subject to future Planning Commission hearing and approval of a specific site plan. She added the Planning Commission held a public hearing on June 12 and recommended on a vote of 6-0 that the Board adopt the ordinance.

Mayor Bush then called for a vote on the motion to adopt; and upon roll call, the following voted "aye": Directors Maruthur, Smith, Weatherford, Daniel, and Bush, total 5. Absent and not voting: Director Jones; motion unanimously carried. Whereupon the ordinance was declared passed.

- 16** **Proposed Ordinance No. O-08-47** Approving a Revision and Restatement of an Interlocal Agreement with Garland County for Detention Services (**Removed from the Agenda**)

OTHER BUSINESS

17 **Board of Directors Items**

Director Smith announced that the beginning of Operation Clean Sweep will begin on Tuesday, July 8, in District 3; and specific areas will be from Summer to Sunset and Albert Pike to the National Park on the other side.

Director Maruthur announced this is the first Tuesday Board of Director's Meeting and hopes this will give the residents and businesses an opportunity to make calls on Monday and get information on issues to be considered by the Board prior to the Tuesday Board Meeting. Regarding some of the infrastructure improvements that are being done on Circle Drive and the general area, she mentioned this area is getting water/sewer/gas line replacement. She pointed out there have been numerous breaks over the years, and it has not been cost-effective. She said the servicing will be completed as soon as they finish the work, but the roto-milling or the grading is not scheduled until next year. At this time, she read a poem entitled, "Child of the Sixties," which she wrote while at a medical facility and saw things that were reminiscent of the past.

Mayor Bush announced that Director Steve Smith will be the Assistant Mayor from July through December 2008. He then recognized former Mayor Helen Selig, who was in attendance.

18 **City Manager's Report**

City Manager Kent Myers gave the following report:

1. On the Consent Agenda, the Board accepted a grant from the National Park Service that will be used to help fund the construction of the next section of the Greenway (Valley Street Creekwalk); approved a contract with Garver Engineers to do an engineering evaluation of the inflow and infiltration problem of the wastewater system, which will cost around \$199,000. The results of that study will be a priority of list of items the City needs to address in the wastewater system in order to meet state and federal regulations; and approved a contract with Coakley Company for approximately \$1.3 million. They were the low bidder for a project that will involve the construction of over 9,000 feet of water line from the Music Mountain Pump Station to two tanks on Wood Street.

2. He recognized several employees: (1) Ms. Jean Wallace, Parks and Recreation Director, who was selected as the Hot Springs National Park Rotarian of the Year; (2) there were positive comments received on Mr. Nathan Neighbors, Recreation Supervisor, who runs the softball program; and (3) in the "Thumbs Up" column of The Sentinel-Record, Mr. Herman Gade extended his appreciation to Mr. Glen Burton and the crew at the City Water Maintenance Department.

3. There will be a public hearing on Tuesday, July 8, at 5:30 p.m., Central Fire Station, to solicit comments on the skate park. There has been deterioration over the last few years, and the recent cost estimate on the skate park includes about \$50,000 worth of improvements that need to be done to that facility in order to create a safe park facility. Ms. Jean Wallace, Parks and Recreation Director, will be facilitating that hearing.

4. He, Deputy City Manager Lance Hudnell, and Intracity Transit Resident Advisor Bob Reddish met today with the company that is taking over the bus bench advertising contract (Creative Outdoor Advertising). They are replacing all of the bus benches around the City, and he showed a photo of a bench at the corner of Greenwood and Central. Within the next year, all of the bus benches will be replaced.

5. Two weeks from tonight from 5 p.m. to 6 p.m., the Board will have a work session to interview four finalists for the District 5 Board position. Following the interviews, the Board will select the individual to fill out the remainder of the term for District 5, which will be December 2010.

6. Several work sessions will be held later this summer (the week of July 21 or the week of July 28 and the first or second week in August for the mid-year budget). City Manager Secretary Margaret Parris will be contacting the Board for dates.

Director Maruthur thanked all the people who voted for her in The Sentinel-Record as Woman of the Year, noting she placed third.

19 ADJOURNMENT

There being no further business to come before the Board, the meeting adjourned at 7:25 p.m., to meet again on Tuesday, July 15, 2008, at 7:00 p.m.

ATTEST: _____

APPROVED: _____

Lance Hudnell, City Clerk

Mike Bush,

Mayor