

MINUTES

BOARD OF DIRECTORS MEETING

AUGUST 5, 2008, AT 7:00 P.M.

The regular meeting of the Board of Directors was held on Tuesday, August 5, 2008, at 7:00 p.m., Board Chambers, City Hall, with Assistant Mayor Steve Smith presiding.

The invocation was given by Ms. Paula Childs, and Pledge of Allegiance to the Flag was led by Assistant Mayor Smith.

Assistant Mayor Smith 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, Rick Ramick, and Tom Daniel, total 6. Absent: Mayor Mike Bush.

2 Approval of Agenda

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

3 Approval of Minutes of July 15, 2008 Board Meeting

A motion was made by Director Maruthur, duly seconded by Director Daniel, that the minutes of the July 15, 2008 Board Meeting be approved; and upon voice vote, the motion unanimously carried.

4 Recognition of Guests

Assistant Mayor Smith presented a retirement plaque to Captain Ellis Dickerson, having served 36 years with the Hot Springs Fire Department.

Reverend Stephen Jumper presented a New Race City Award to the City and thanked the community for allowing them to represent the All-American Soap Box Derby as a New Race City this year. He also thanked Director Weatherford for his support, as well as the Police and Fire Departments, Public Works Director Steve Mallett, and the Public Safety Committee for closing the street. He apologized to the City for not being able to complete their race this year and being able to send only one person to Akron, Ohio (Mr. Ethan McGriff from Star City, Arkansas), who represented them well. He then presented the All American Soap Box Derby 2008 New Race City Award to the City and also the official 2008 heat sheet for the All-American Soap Box Derby. He stated Mr. McGriff made it through the first heat but was beat on his second heat; however, the City should be very proud of him.

City Manager Kent Myers thanked Reverend Jumper for his leadership in putting this program together, pointing out this is a great addition to the City, as well as for the youth of the community.

CONSENT AGENDA

The Consent Agenda consisted of the following:

- 5 Public Safety Report** (July 16, 2008).
- 6 Budget Transfer - Special Election** (August 12) Costs [\$7,000].
- 7 Proposed Resolution No. R-08-172** Approving Certain Bid Awards (a) Electrical Contractor- Public Works and All Departments [annual supply contract awarded to Huntco Electric]; (b) Front Load Containers - Sanitation [awarded to Downing Sales in the amount of \$48,550]; (c) Aggregates - Public Works and All Departments; and (d) Light Rescue Truck - Fire Department [awarded to Summit Fire Apparatus in the amount of \$180,612].
- 8 Proposed Resolution No. R-08-173** Approving an Application from George and Anita Barrett (Barrett Enterprises, Inc.), d.b.a. Hot Springs KOA, for a Charter and Sightseeing Service Operating Permit.

- 9 Proposed Resolution No. R-08-174** Revising the Electrical and Plumbing Code Fee Schedules for Commercial Permits.
- 10 Proposed Resolution No. R-08-175** Authorizing the Mayor to Execute a Lease Agreement with Cricket Communications, Inc. for Attachment of Wireless Communication Equipment to the Hollywood Water Tank.
- 11 Proposed Resolution No. R-08-176** Accepting a Grant from the United States Department of Transportation and the Arkansas State Highway and Transportation Department for Public Transportation Grant Assistance Provided Under 49 USC §5303 – Metropolitan Planning Program (Fiscal Year 2009).
- 12 Proposed Resolution No. R-08-177** Awarding a Contract for Engineering Services to Affiliated Engineers, Inc. for Design of Gravity Wastewater Line Replacement on South Patterson Avenue.
- 13 Proposed Resolution No. R-08-178** Awarding a Contract for Engineering Services to Brown Engineers, LLC, for Phase I of the Water and Wastewater SCADA Improvements.

A motion was made by Director Jones, duly seconded by Director Maruthur, that the Consent Agenda be approved; and upon voice vote, the motion unanimously carried.

NEW BUSINESS

- 14 Consider Request from Mr. Barry Emigh to Appeal Arts Advisory Committee's Rejection of Fireman and Soldier Statues**

Mr. Barry Emigh stated he wanted to memorialize the veterans and firemen by sculpting the statues of a fireman and soldier, which are hand-sculpted concrete; and to his knowledge, he is the only one who does this type of work. He said the statues have a stone veneer and are a steel pipe frame with wire mesh. He added the construction is

solid, and ABC Block has donated the blocks for the pedestal; therefore, there will not be any cost to the City.

Ms. Carole Katchen, 624 Prospect, Chairman of the Arts Advisory Committee, said she wanted to clarify why the committee voted against accepting Mr. Emigh's donation of the statues. She added the committee appreciates his effort and generosity in wanting to donate these statues to the City and wanting to memorialize the soldiers and firemen. However, the job of the Arts Advisory Committee is to choose the very best art they possibly can to represent the City. She pointed out the committee is creating a sculpture garden near the Transportation Depot, and every year they are adding more sculptures to it; and the quality of it is the highest they can possibly get. She explained that all of the work they choose, either for that area or any other location in the City, is submitted to the Arts Advisory Committee, which votes on it.

She said she is a representative of the people on the committee and has been a professional artist for 40 years, having published 14 books on art instruction. Also, she has been contributing editor to the artists' magazine, international artists and pastel journal; therefore, her past experience is extensive; and the other members on the committee have a great deal of experience with the art world. She pointed out the reason the committee rejected these sculptures had nothing to do with Mr. Emigh or with the material from which the statues are made; but the committee did not feel these were of a high enough caliber to represent the high quality of art that there is in the City.

She added it is the committee's responsibility to represent Hot Springs in the best way it can, and the committee felt that these sculptures did not do so. She mentioned the committee is discussing with the Fire Department a bronze sculpture that would represent them at the Fire Station, but the committee thought these particular sculptures were not good enough to represent them.

Director Maruthur asked if she felt the medium is an important factor in this, and Ms. Katchen said that the medium had nothing to do with their decision. She added the committee felt because they are realistic sculptures, it is very important that the anatomy, the proportion, and the gesture of the figures be more realistic and felt that was the weakest part of these.

A motion was made by Director Maruthur, duly seconded by Director Jones, to accept the decision that the Arts Advisory Committee has found to be in the best interest of the City; and upon roll call, the following voted "aye": Directors Maruthur, Jones, Smith, Weatherford, Ramick, Daniel, total 6. Absent and not voting: Mayor Bush; motion unanimously carried.

Director Maruthur pointed out it was gracious of Mr. Emigh to offer this to the City, and she personally prefers a different medium. However, she respects his tenacity and willingness to offer this and to honor the firemen and veterans. However, the Arts Advisory Committee represents the people of Hot Springs, and the Board appoints the committee and has placed confidence in its decision.

15 Proposed Resolution No. R-08-179

A resolution entitled, "A RESOLUTION APPROVING A COST RECOVERY AGREEMENT WITH THE WESTINGHOUSE DRIVE WATER EXTENSION GROUP," was taken from the agenda and read by title.

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

Upon discussion, Public Works Director Steve Mallett advised that approximately five years ago, several residents along Westinghouse Drive desired to extend a water main south from Spring Street, about 3500 feet, to serve their properties and other properties in the area. He said the line was originally required to be a six-inch; but through a measure the Utilities Department has, it was selected to upsize that to an eight-inch line, in which the City paid the upsized price; and the residents bore the price for the original six-inch line. He stated they requested to have a rebate agreement in place for ten years, and that line was completed in December 2002; but the date on the agreement was July 2003. He mentioned the agreement was not signed, and there was not a Board resolution or Board action that showed it was ever presented to the Board, which was an oversight by the Utilities Department. At that time in accordance with City policy, he stated anything outside five years should have come to Board after January 1, 2003. He added the project took place before January 2003, but the actual agreement was written after that date; and he believes that may be part of the confusion because previously there was some action internally within the Utilities Department. He said when his office looked for the agreement, there was nothing they could act upon because nothing was signed. He explained upon notifying Mr. Alan Clark and the other residents, they sent in a letter requesting that the Board hear that which should have been heard five years ago and requested they be granted a ten-year agreement that would expire five years from now, which would in effect be ten years from the original date.

Director Maruthur asked if there was any existing policy when this paper was drawn up, and Mr. Mallett replied there was no formal ordinance. Director Maruthur

said these residents were under the impression that since an agreement was drawn up, that it would be honored. Mr. Mallett replied that he believed in talking with his predecessor, he believes that was the indication they did get. He explained there was an unsigned contract in the City's files, and he spoke with Mr. Clark, who was very adamant about having a ten-year agreement. Therefore, had it been presented to the Board in 2003, it would have been as a ten-year agreement.

Director Maruthur said it is her understanding there is a precedent on Bratton Drive, and Mr. Mallett replied since the inception of the agreement in 2003, there has been at least one signed, ten-year agreement, which is on Bratton Drive.

Mr. Leonard Beckwith, 102 Arnett Way, said the water main ends at his driveway; and he and Mr. Clark discussed this issue with the residents in the neighborhood; and the people who are wanting to get on it now were given an opportunity up-front. He stated he did not believe they requested a ten-year agreement because they worked with Mr. Milton Raabe, whom he found to be very up-front since he worked with him on other projects. He added they asked Mr. Raabe about recovery, and he said there would be a ten-year period for recovery and that is what they thought they had. Also, he mailed Mr. Clark a letter stating that.

Mr. Alan Clark, 112 Valley Forge, said the residents did everything they knew to do and worked with Mr. Raabe. Also, they worked with the contractor at the City's recommendation to be sure it was done right. He pointed out it is a capital improvement that greatly benefits the City, and evidently there was an ordinance passed during that time of which they were not aware. He stated if they had been asked to do anything more, they would have. He commended the City's Utilities Department in working with them; and said if they had known they needed to appear before the Board, they would have.

Director Daniel asked if they were never notified since 2003, after this ordinance was passed, of anything they should do, or they had never signed it. Mr. Clark advised that in June 2008, an employee of Mr. Mallett's came to see them and said there were neighbors believing the agreement would be for five years because they were not keeping up with it and would expire. However, they had a ten-year agreement in their file that was not signed. He told them there was ten-year agreement but did not know if it was signed or not. He added that he made up the agreement and gave it to the City but never received anything back. He commented the City came back to them in early July and said they talked to Mr. Raabe; and they had concurred it was supposed to be a ten-year agreement, which they were going to back that up. He said in his letter to the

City on July 14, 2008, they were notified that decision had been changed and were told it was not unusual to have an agreement ratified later.

Director Daniel asked if other people in the area have contacted him wanting to hook on that he was aware of in June, and Mr. Clark said that no one has come to them; but the City came to them. Director Daniel asked if there was anyone waiting to hook on, and Mr. Clark said he has reason to believe there are because of what the City has said. However, he has not spoken to anyone. Director Daniel asked if he has talked to anyone other than City staff, and Mr. Clark said that he has talked to Director Maruthur and Director Weatherford and intended to contact all of the Directors. However, he received the information he needed at that point and did not feel like it was a political issue and did not want to lobby the Directors. He commented it is just a matter of fairness.

Director Maruthur said that he entered into this thinking everything was complete and was notified by the City as the five years was about to expire, and Mr. Clark replied that was correct. Director Maruthur pointed out he was under the impression that it has been accepted and was a matter of fulfilling something that was understood. She added this is about the City's fulfilling its goodwill to the people who are making these capital improvements. She asked if there was any intent on his part to do something that was not within the scope of the City's code or ordinances; and Mr. Clark said there was not. He added from the first time they talked to Mr. Raabe, they discussed reimbursement and other people paying their fair share if they hooked on later.

Director Maruthur asked if he felt secure this was documented and was in the City's file, and Mr. Clark said they thought they had a ten-year agreement. Director Maruthur asked if they had come to him prior to the expiration approaching, would he have asked for it to be presented to the Board so it would not be just before it would expire; and Mr. Clark said that they would. Director Maruthur asked if he was aware of the precedent that was set on Bratton Drive, and Mr. Clark said that he has recently become aware of that. However, that was a year behind them when the City approved the ten-year agreement in the same neighborhood. Director Maruthur asked if that made him feel comfortable that another agreement had been honored, and Mr. Clark said that it did. He added it would seem if that ten-year agreement would be honored, theirs would be also.

Director Weatherford said he is hearing two stories because Mr. Beckwith had just commented that he was aware of no agreement. He noted he was the one who

approached Mr. Mallett about this, and they were just going to do a ten-year agreement without presenting it to the Board, which is not right. He stressed it comes to the Board for ratification, and there was never anything signed by the City or Mr. Clark for a ten-year agreement.

Director Maruthur commented her personal opinion is that Mr. Beckwith and Mr. Clark are stating what they heard and what they thought. She said this is about the goodwill and trust of the City that is on the line, and she does not feel that Mr. Clark is telling an untruth. She stated she believes if he had known, it appears he would have come before the Board because it is not logical that he would not. She said she spoke to him briefly, and it was his understanding that it was ten years; and she is going to support the City's reputation and goodwill.

City Attorney Brian Albright asked if Mr. Clark and Mr. Beckwith have seen a copy of the draft agreement that the Board is being asked to approve; and Mr. Clark replied if it is the one he wrote, he has seen it. City Attorney Brian Albright pointed out that he wrote one on July 15, 2003; and there are not many changes to that agreement. However, he wanted to cover two important points: (1) if it is approved, the total recovery would not exceed \$25,600; and (2) it would not exceed \$3,200 per customer that connected. Mr. Clark said they are aware of that. City Attorney Brian Albright pointed out if they do not get enough between now and 2013, they may never reach the \$25,600 level. Mr. Clark said that they fully expect they will not.

Mr. Beckwith asked for clarification on what Director Weatherford had heard, and Director Weatherford stated Mr. Beckwith had made the statement there was not an agreement as far as he knew, only verbal. Mr. Beckwith said if he said that, then he was wrong and stated it incorrectly. He said he knew that Mr. Raabe sent Mr. Clark a written agreement showing they had ten years and knew that one was in the file with the City.

Mr. Gerald Wheeler mentioned the Board started off with the Bratton Drive area, and he is one of the 19 who did that; and the City did a good job in handling it.

Director Jones asked where the file was located, and Mr. Mallett advised that it was in the projects file where there were plans for the water line and all of the correspondence. He said he was hoping to find a signed agreement but found the agreement to which Mr. Clark referred, which was not signed. He added he did not find any letters or correspondence to or from anyone who had anything to do with any kind of cost recovery.

Director Weatherford asked when this was done, and Mr. Mallett advised that the work was finished in December 2002. He added it was a six-month period back and forth as far as working up an agreement, asking for a written agreement so they could execute a written agreement, which was never presented to the Board.

Director Weatherford pointed out that on August 6, 2001, the Board approved a resolution extending water service from Spring Street to Arnett Street on Westinghouse Drive and questioned why did not they have some kind of agreement then and why they waited two years. Mr. Mallett said that he could not answer that because that was prior to his coming to work for the City. Director Weatherford said Mr. Wheeler did not run his without some kind of agreement with the City. Mr. Mallett said that is not any different than the ones staff presents to the Board now, just accepting the extension of water and wastewater to different developments; and basically, the City does not get into cost recovery. He added the City only executes cost recovery agreements when asked and does not mandate it.

Director Daniel asked what brought this to his department's attention to go out and contact them, and Mr. Mallett advised that a resident made application for a hook-up. He explained that in mid-July, a resident came in and wanted to tie onto the water; and it came to his attention there was an agreement but found a ten-year agreement in the files, which was unsigned.

Director Daniel asked if the applicant who came in to hook onto the water told him there was an agreement, and Mr. Mallett said that he did not.

City Manager Kent Myers explained the resolution, pointing out that the Board will be voting on the cost recovery agreement with Mr. Clark and would extend the agreement to July 15, 2013, and if the Board passes this agreement, anyone who connects onto that line will be subject to a charge of \$3,200 that would be payable to Mr. Clark for his investment in that line.

Assistant Mayor Smith then called for a vote on the motion to adopt; and upon roll call, the following voted "aye": Directors Maruthur, Jones, Smith, Ramick, and Daniel, total 5. Voting "no": Director Weatherford. Absent and not voting: Mayor Bush; motion carried. Whereupon the resolution was declared adopted.

16 Proposed Resolution No. R-08-180

A resolution entitled, "A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE AN EDA GRANT APPLICATION TO CONSTRUCT INFRASTRUCTURE TO THE FAIRGROUND CROSSING MARKET," was taken from the agenda and read by title only.

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

Upon discussion, City Manager Kent Myers explained that the developer of the fairground crossing shopping center approached the City to see if it would assist in funding some of the cost for the infrastructure for this project; and infrastructure improvements required for this project include water, wastewater line, drainage, traffic signal, road improvements, etc. He and Mr. Dave Byerly, president of the Garland County Economic Development Corporation, contacted Congressman Mike Ross' office in an attempt to get some federal funding to offset the cost of this project. At the present time, there is support through the Economic Development Administration for an \$800,000 federal grant. However, it has not officially been approved; but the application before the Board tonight would go to the federal government to receive that funding, which would be allocated to offset the infrastructure costs. He advised all local match will be provided by SDI; therefore, there is no fiscal impact to the City. He stated the grant application is being prepared by Ms. Karen Barlow, with West Central Planning and Development District; and the deadline for submitting the application is August 11. He added the City should know by the middle of September whether or not the grant will be approved by the federal government.

Assistant Mayor Smith asked since the City is the recipient of the funds, if that is a grant requirement; and City Manager Kent Myers advised that it is. He added that the money would have to flow through the City, which would have to bid the project on its own. Therefore, it is subject to all bidding requirements of the City.

City Attorney Brian Albright added that the City will have to act as the bidding agent, and there will be some time spent by the City. However, the economic development aspect of this seems to be a favorable outcome.

City Manager Kent Myers stated that EDA grants are based upon job creation; and in this case, there are some 800 to 1,000 jobs that will be created.

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

Ramick, and Daniel, total 6. Absent and not voting: Mayor Bush; motion unanimously carried. Whereupon the resolution was declared adopted.

17 Proposed Ordinance No. O-08-49

An ordinance entitled, "AN ORDINANCE ADOPTING A WATER AND WASTEWATER ENGINEERING AND CONSTRUCTION STANDARDS AND SPECIFICATIONS CODE FOR THE CITY OF HOT SPRINGS, ARKANSAS MUNICIPAL UTILITY SYSTEM; AND FOR OTHER PURPOSES," was taken from the agenda for consideration.

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

Upon discussion, Utilities Director/Public Works Director Steve Mallett stated that recently Utilities Project Manager Larry Merriman spearheaded an effort to do a cover-to-cover review and revision of the specifications manual for the water and wastewater system. This document was placed in the City Clerk's Office for review by the public, but no comments were received by the public. Therefore, staff is recommending accepting the revised specifications as submitted.

Assistant Mayor Smith then called for a vote on the motion to adopt; and upon roll call, the following voted "aye": Directors Maruthur, Jones, Smith, Weatherford, Ramick, and Daniel, total 6. Absent and not voting: Mayor Bush; motion unanimously carried. Whereupon the ordinance was declared passed.

18 Proposed Ordinance No. O-08-50

An ordinance entitled, "AN ORDINANCE AMENDING ORDINANCE NO. 5329 (HOT SPRINGS PLUMBING AND GAS CODE) BY ADOPTING THE ARKANSAS PLUMBING CODE AND THE ARKANSAS FUEL GAS CODE, 2006 EDITIONS; AND FOR OTHER PURPOSES," was taken from the agenda for consideration.

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

Upon discussion, Ms. Kathy Sellman, Planning and Development Director, stated that approximately every three years, the Board is requested to adopt the new codes as the State of Arkansas has just adopted the 2006 Plumbing and Fuel Gas Codes, which are in effect statewide. Staff is requesting that the Board adopt this code so there will be no conflict between the old and new codes. The Trades Advisory Committee has reviewed this code and recommends that the Board adopt it.

City Attorney Brian Albright pointed out there is specific Arkansas law that allows a city to adopt these uniform codes by reference.

Assistant Mayor Smith then called for a vote on the motion to adopt; and upon roll call, the following voted "aye": Directors Maruthur, Jones, Smith, Weatherford, Ramick, and Daniel, total 6. Absent and not voting: Mayor Bush; motion unanimously carried. Whereupon the ordinance was declared passed.

19 Proposed Ordinance No. O-08-51

An ordinance entitled, "AN ORDINANCE AMENDING ORDINANCE NO. 5409 (HOT SPRINGS ELECTRICAL CODE) BY ADOPTING THE NATIONAL ELECTRICAL CODE, 2008 EDITION; AND FOR OTHER PURPOSES," 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 Ramick, that the ordinance be passed as read.

Upon discussion, Ms. Kathy Sellman, Planning and Development Director, stated that the State has now adopted the 2008 National Electrical Code, which is in effect

statewide. The Trades Advisory Committee recommends approval, and the major changes are for tamper-resistant plugs and increased use of arc fault breakers.

Assistant Mayor Smith then called for a vote on the motion to adopt; and upon roll call, the following voted “aye”: Directors Maruthur, Jones, Smith, Weatherford, Ramick, and Daniel, total 6. Absent and not voting: Mayor Bush; motion unanimously carried. Whereupon the ordinance was declared passed.

20 Proposed Ordinance No. O-08-52

An ordinance entitled, “AN ORDINANCE ADOPTING THE ARKANSAS FIRE PREVENTION CODE, 2007 EDITION; REPEALING CERTAIN ORDINANCES; AND FOR OTHER PURPOSES,” was taken from the agenda for consideration.

A motion was made by Director Jones, 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 Jones, that the ordinance be passed as read.

Upon discussion, Ms. Kathy Sellman, Planning and Development Director, stated that the State has adopted the 2007 Arkansas Fire Prevention Code, which is in effect as of August 1; and staff is recommending adoption.

Assistant Mayor Smith then called for a vote on the motion to adopt; and upon roll call, the following voted “aye”: Directors Maruthur, Jones, Smith, Weatherford, Ramick, and Daniel, total 6. Absent and not voting: Mayor Bush; motion unanimously carried. Whereupon the ordinance was declared passed.

OTHER BUSINESS

21 Board of Directors Items

Director Jones said she would like to give thanks for Director Maruthur and City Attorney Brian Albright, who were involved in traffic accidents and are doing well. Director Maruthur clarified they were in different countries but had accidents about the same time.

Director Maruthur read a poem entitled, "You Will Never Be Bored," which she wrote for newly appointed Director Rick Ramick.

Assistant Mayor Smith expressed appreciation to Code Compliance Department and Sanitation Department, which finished Operation Clean Sweep in District 3. Sanitation made 337 stops for the week and picked up 55.92 tons in District 3. Total weight for the week was 111,840 pounds. He stated the citizens in District 3 volunteered and did a great job in cleaning up the district. Code Compliance dropped off 683 packets; there were 145 violations; and since then, 94 of those violations have complied.

Director Maruthur requested an update on the infrastructure improvements that are being made on Mineral and Circle Drive area because there has been some delay regarding the equipment. Public Works Director Steve Mallett advised the last he checked, he knew they were coming through Circle Drive and around her area. He said there was an unrelated leak sometime ago that came through there, and he anticipates they will be completed within the next 60 days. Director Maruthur said that she received a memo regarding equipment problem, but it was never specified in the memo what it was. Mr. Mallett replied they did have problems with some equipment, but it was short-lived; and there were a few days of delay. He reported that Mr. Larry Merriman, Utilities Project Manager, was keeping her up-to-date in case she was wondering why she did not see any equipment working. Mr. Mallett said he will send her an updated e-mail tomorrow.

Director Jones announced that Pleasant Street had its meeting this past Saturday and meets once-a-month. They are now getting ready for block 300 on the Pleasant Street side. At their next meeting, they will have Mr. Gerald Harman, CDBG Coordinator, and Ms. Kathy Sellman, Planning and Development Director, to provide an update on what they need to do to get block 300 ready to be cemented.

Director Maruthur announced that early voting is now taking place, and citizens may vote early at the Election Commission Office (city and county). She mentioned that citizens can help the communications system, the Fire Department, and the Police Department. Official voting date is August 12, next Tuesday.

Assistant Mayor Smith commented the polling location is open from 8 a.m. to 5 p.m. through this Friday. They are also open on Monday, 8 a.m. to 5 p.m., and then election day is August 12.

22 City Manager's Report

City Manager Kent Myers gave the following report:

1. On the Consent Agenda, the Board approved the acquisition of a new rescue truck for the Fire Department, which is being acquired from Summit Fire Apparatus in the amount of \$180,612. The Fire Department has expanded the first-responder services, and this unit will help in that effort.

2. There have been positive comments received on several employees. He received a note from Mr. Greg Speas, Fleet Service Director, who was visited by the Fleet Service Director of Little Rock observing their operations and indicated they were impressed. He stated Little Rock would like to send its supervisors over to see the City's Fleet Service Department and see how it operates. Today, he received a note from Ms. Margaret Parris, executive secretary, that Mr. Ben Clifton gave a positive comment on a utility employee whom he felt deserved special recognition. Mr. Clifton had moved to a new address on Woodbine and needed his utilities connected. Mr. Bill Cowles, employee of the Utilities Department, worked in the heat to get his meter running. He said that Mr. Cowles had the best attitude although he was working in the sun with temperatures over 100 degrees, while he pulled roots and mud from the meter box. He witnessed Mr. Cowles doing a great job in extreme conditions yet maintaining a good attitude. A note was received from Mr. Gerald Harman, Community Development Administrator, recognizing the efforts of Mr. Simuel Jones, who works for the Sanitation Department. He said that he encountered Mr. Jones once a week to pick up the recycling bins and indicated that he is always very upbeat, positive, and courteous. He stated that he is more than an asset to the City and is an asset to everyone with whom he comes in contact.

3. The security is in place and a new metal detector has been installed and is in operation tonight. This unit will be in operation during all Board Meetings and Planning Commission Meetings. This was a recommendation that came out of the Building Study Committee on which Director Maruthur and Director Weatherford served.

23 ADJOURNMENT

There being no further business to come before the Board, the meeting adjourned at 8:05 p.m., to meet again on Tuesday, August 19, 2008, at 7:00 p.m.

ATTEST: _____

APPROVED: _____

Lance Hudnell, City Clerk

Steve Smith, Assistant

Mayor