

MINUTES

BOARD OF DIRECTORS MEETING

JUNE 15, 2010, AT 7:00 P.M.

The regular meeting of the Board of Directors was held on Tuesday, June 15, 2010, at 7:00 p.m., Board Chambers, City Hall, with Mayor Mike Bush presiding.

The invocation was given by Mr. Charles Swartzmann, 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, Cynthia Keheley, Pat McCabe, Rick Ramick, and Mike Bush, total 6. Absent: Director Tom Daniel.

2 Approval of Agenda

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

3 Approval of Minutes of June 1, 2010 Board Meeting

A motion was made by Director Maruthur, duly seconded by Director Ramick, that the minutes of the June 1, 2010 Board Meeting be approved; and upon voice vote, the motion unanimously carried.

4 Recognition of Guests

Mayor Bush recognized the Keith Smith Company and read a statement stating that the Keith Smith Company was one of four Arkansas companies honored for its leadership and success in exporting throughout the world. He noted that Governor Mike Beebe presented the Governor's Award for Excellence in Global Trade to Keith Smith Company, Inc. of Hot Springs; and this award recognizes companies that are

taking Arkansas's economic development message to a global audience. He stated the trade successes these Arkansas companies have experienced benefit both the economy and international reputation.

Mr. Jim Smith, CEO of Keith Smith Company, said that Keith Smith Company has been in Hot Springs since 1948 and was founded by his dad. He pointed out they pride themselves in providing excellence to their customers in eggs that will hatch out and then produce baby chicks. In the last couple of years, he mentioned they have worked toward excellence in production and have expanded the areas in which they have been working toward selling. He said that has been recognized in the things they have done internationally and hopefully continue, which will lead to added production, thereby employing more people and more contract growers. He expressed appreciation for the support of the community. He acknowledged that Mr. Bud West was present and Mr. Keith Smith, who are involved in the export sales.

Mayor Bush recognized Ms. Denise Parkinson, who gave a PowerPoint presentation on the Community Garden. Ms. Parkinson expressed appreciation for the support of the Community Garden efforts and through the PowerPoint presentation showed how the lot in Director Jones' district had transformed from a vacant, unused space into a park to grow food. She noted the neighbors enjoy it, and the low-income housing residents became aware of it and adopted it. She mentioned they are ready to install some signage on the wall and are working on obtaining a grant to replace the crumbling wall. She expressed appreciation to the city crews and Ms. Jean Wallace, Parks and Recreation Director. She commented there was a vacant house across the street that had been there since a fire two years ago but has since been demolished. She said they are interested in that lot and would like to paint some signage on the retaining wall. Also, they would appreciate any type of signage fee waiver. She then showed photos of the garden. She added that the Master Gardeners donated tomatoes after the plant sale. She commented that a redwood bench was provided through a grant, and Mister Jim Construction constructed it by hand. ABC Block Company also gave them a good deal on some blocks. She pointed out they have a beautiful gate thanks to a grant from the Youth Advisory Council of the Hot Springs Area Community Foundation. She added there are numerous birds and butterflies in this garden. She said that many people have come together on this project, and it is a combination neighborhood watch, picnic area and park.

At the request of Director Jones, Ms. Minnie Lenox, Human Resources Director, presented a plaque to Coach Greg Meggers, who is now retiring from the Hot Springs School District and was very important and beneficial to the well-being of the

African-American children in District 2. She said that in the early 1980s, he would pick them up in his own vehicle and transport them to practices in the mornings and evening because he wanted to instill this ethic in them of sportsmanship. At this time, she presented Coach Greg Meggers with a Proclamation declaring June 15, 2010, as "Coach Greg Meggers Day in Hot Springs, Arkansas."

Coach Greg Meggers thanked Ms. Lenox, the Board of Directors, and the families of the many children he has been involved with for the past 31 years for letting him share and be a part of their lives. He said that he is very honored and appreciates the Hot Springs School District for giving him 31 years to do what he loves.

Mr. Andrew Ham, managing director, Urban Trust Capital, thanked Director Maruthur for inviting him to give an update on the redevelopment of the Majestic Hotel. Also present were some of the development team – Mr. Steve Hitt, CEO from the ARC; Ms. Cynthia Stone, chief operating officer; Architect David French; and one of their legal counsel, Mr. Tom Stone. He gave an update on the project pointing out the rehabilitation of this historic complex includes the Lanai Tower, the red brick building, the yellow brick building, and the laundry building. He noted those are the three major buildings and one small building that are part of the historic rehabilitation. The development teams includes the ARC Arkansas Park Avenue Development Corporation, which is an affiliate of the ARC; French Architects; and Kinco Constructors, general contractor. He said his firm has served in a financial and development advisory capacity. He mentioned RCJ Consulting that brought in the lender; SDS, a California firm that is providing the new market tax credits; and Novogradac & Company, one of the countries' premier tax credit accounting firms that is doing the financial forecasting and consulting. He advised this is almost a \$30 million project; and of the 148 units, 118 are market rate; and 30 are affordable serving the special-needs population. The units will include studios, one, two and three-bedroom units. The rents range from studio in the amount of \$430 a month up to the three-bedroom and penthouse units on top of Lanai Tower in the amount of \$1,200. They have set aside 16,000 square feet of downtown commercial space, predominantly in the red brick and yellow brick buildings. The commercial tenants will be ones that serve not only the apartments but also the downtown, and there will be 172 on-site and off-site parking spaces. They received a letter from the Planning office indicating that the project has met the parking requirements. Some of the amenities include tenant storage, internet café, community room, and a fitness center. In the units, there will be dishwashers, garbage disposals, washer/dryer hookup; and also a community laundry facility in the building, pool and landscape courtyard, and penthouse suites. The loan is being provided by Berkadia Mortgage, which is a mortgage company that is owned in part by the Oracle of Omaha. There is a HUD Urban Project loan guaranty, and these loan guaranties on the

financing are awarded for a downtown project to provide urban living. The Arkansas Development and Finance Authority is providing a number of funding sources including HOME funds, CDBG, and a low-interest loan. They have historic tax credit equity in the amount of about \$5.8 million from the historic rehab. They have new markets tax credit equity being provided through Arkansas Capital Development Corporation and one of their subsidiaries, Hartman Renaissance; and that new market tax credit equity is approximately \$1.9 million. They are also looking at two other sources – the new State Rehab Credit and a Recovery Zone Facility Bond. The federal stimulus bond is a small amount of money, and County Judge Larry Williams has indicated to Mr. Ham that he supports the award of that small amount of bond money for the anti-recession program for the project. It is about \$228,000; and they are currently seeking a local bank, which would take the bonds. The City potentially has a role in that if it goes further, they would come back to the Board. Regarding the timeline, there are two steps for the loan guaranty. One is a pre-app that is being submitted this week to the Little Rock HUD area office. They will also be submitting almost simultaneously the Arkansas Development and Finance Authority applications for all of their sources of financing, which will be done next week. The HUD pre-app review takes about 30 days; and once the 30-day pre-app review by HUD is done, then they submit a final application. That review takes about 45 days, and they anticipate closing on the financing in August/September. Construction is to start approximately in October, and the project is to be completed in 18 months. He spoke with City Manager Lance Hudnell last week regarding some CDBG Funds from the City; and it was suggested that he contact Mr. Gerald Harman, CDBG Administrator. He hopes the Board can join them at the closing with possibly some contribution from CDBG resources.

Director Maruthur pointed out that all of the units are to be universal design; and Mr. Ham replied that is correct, which is typical of ARC projects. They are all designed with a universal design, which means they are accessible for the special-needs population. Director Maruthur stated that Berkadia is associated with Warren Buffet. She questioned if there was any information on the beautiful, secret garden. Mr. Ham replied that Ms. Cynthia Stone can address that.

Ms. Cynthia Stone stated they have a lot of dreams about that garden but will need help from the City. She noted that some people from Garvan Gardens made the Youth Center look beautiful and would hope that the City would make that happen in the hidden garden.

5 Board of Directors Announcements

Director Maruthur announced that on Monday, June 21, 6 p.m., at the Tower of Strength Church, there will be a meeting of the Park Avenue Community Association; and there is a brochure that has been published. She noted everyone is welcome to become a member of the association. She expressed appreciation to those who published the brochure, Roberta Morningstar, Eric Wilson, Janice Jones, and newsletters by Joseph Sheridan.

CONSENT AGENDA

The Consent Agenda consisted of the following:

- 6 Public Safety Committee Report** (June 1, 2010).
- 7 Board of Directors Meeting Schedule** (July thru December 2010).
- 8 Proposed Resolution No. R-10-117** Approving Certain Bid Awards (a) Brass Fittings Contract Extension - Utility Administration [annual supply contract]; and (b) Sulfur Dioxide Contract Extension - Public Works [annual supply contract].
- 9 Proposed Resolution No. R-10-118** Authorizing the Filing of Grant Applications with the Federal Aviation Administration (FAA) and the State Aeronautics Department for Airport Runway 13/31 Rehabilitation, Phase IV, and Expansion and Rehabilitation of West Apron, Phase I; and Accepting Grant Offers.
- 10 Proposed Resolution No. R-10-119** Authorizing the Mayor to Execute Addendum No. 1 to the Contract with Delta Airport Consultants, Inc. for Runway 13/31 Rehabilitation, Phase IV.

- 11 Proposed Resolution No. R-10-120** Authorizing the Mayor to Execute Addendum No. 1 to the Contract with Delta Airport Consultants, Inc. for Apron Ramp Expansion, Phase I, and Relocation of Taxiways “G” and “A.”
- 12 Proposed Resolution No. R-10-121** 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 2011).
- 13 Proposed Resolution No. R-10-122** Authorizing the Mayor to Execute a Contract for Services Between the City of Hot Springs, Arkansas, and Garland County, Arkansas, for Information System (IS) Services.
- 14 Proposed Resolution No. R-10-123** Authorizing the Filing of a Grant Application with the U. S. Department of Justice Pursuant to the Edward Byrne Memorial Local Justice Assistance Grant (JAG) Program for Equipping Police Vehicles with In-Car Audio/Visual Recording Devices.
- 15 Proposed Resolution No. R-10-124** Authorizing Revisions to the 2010 Budget by Appropriating Funds Within the General Fund. (Public Information Budget)
- 16 Proposed Resolution No. R-10-125** Awarding a Contract to Mid-Ark Roofing for a Project to Replace the Roofing System at the Administration Building at the Davidson Drive Regional Wastewater Treatment Plant.
- 17 Proposed Resolution No. R-10-126** Awarding a Contract to Jacobs Engineering Group, Inc. for Certain Engineering Services (Design, Construction and Inspection Services for the Ouachita Water Treatment Plant Improvements).
- 18 Proposed Resolution No. R-10-127** Designating a “Free-Ride/Dump the Pump Day” for Hot Springs Intracity Transit.

A motion was made by Director Jones, duly seconded by Director Maruthur, that the Consent Agenda be approved; and upon roll call, the following voted “aye”:

Directors Maruthur, Jones, Keheley, McCabe, Ramick, and Bush, total 6. Absent and not voting: Director Daniel; motion unanimously carried.

NEW BUSINESS

19 Claim from Kenny Thomas Regarding Loss of Tool Box at the Street Division Building

Mr. Steve Mallett, Deputy City Manager for Public Works and Utilities, advised that on March 22, 2010, several city properties were the subject of intrusion and thefts that resulted in insurance claims **BEING SUBMITTED TO THE ARKANSAS MUNICIPAL LEAGUE FOR THE STREET, FLEET AND SANITATION DEPARTMENTS. INCLUDED IN THE CLAIM FROM THE STREET DEPARTMENT WAS A COMMERCIAL, ROLLING TOOL BOX THAT WAS DAMAGED BEYOND REPAIR. THIS TOOL BOX BELONGED TO KENNY THOMAS, WHO IS A WELDER AT THE STREET DEPARTMENT. HE STATED THE CITY CURRENTLY HAS A POLICY IN PLACE THAT PROVIDES A TOOL ALLOWANCE TO ANY EMPLOYEE WHO IS REQUIRED TO HAVE MECHANICS TOOLS NECESSARY TO PERFORM THEIR WORK. MR. THOMAS HAD STARTED OUT IN THE FLEET SERVICE DEPARTMENT AS A MECHANIC OVER 20 YEARS AGO. AT THAT TIME, AS A FLEET MECHANIC, HE WAS REQUIRED TO HAVE HIS OWN TOOLS AND RECEIVED A TOOL ALLOWANCE FROM THE CITY. WHEN MR. THOMAS LEFT THE FLEET SERVICE DEPARTMENT AND WENT TO WORK FOR THE STREET DEPARTMENT AS A WELDER/MACHINIST, HE CONTINUED RECEIVING A TOOL ALLOWANCE CURRENTLY \$100 PER MONTH AND KEPT HIS TOOLS AND TOOLBOX AT THE STREET DEPARTMENT. HE SAID THE CITY DOES NOT ACCEPT THE RESPONSIBILITY FOR THE TOOLS AS THEY ARE CONSIDERED PERSONAL PROPERTY, AND THE EMPLOYEES ARE ENCOURAGED TO PERSONALLY CARRY INSURANCE TO COVER THESE TOOLS AS THE VALUE OF SUCH TOOLS CAN BE IN THE TENS OF THOUSANDS OF DOLLARS. THE TOOL BOX WAS INCLUDED WITH THE INSURANCE CLAIM AT AN ADJUSTED, DEPRECIATED VALUE OF \$2,890. THE TOTAL OF THE CLAIM, WHICH INCLUDED ALL OF THE BUILDINGS AND CONTENTS INCLUDING THE**

TOOLBOX , WAS \$5,147.04. AS THE DEDUCTIBLE FOR THE CITY IS \$5,000, THE CITY DID RECEIVE A CHECK FOR \$147.04. MR. THOMAS HAS PROVIDED A STATEMENT FROM HIS INSURANCE AGENT STATING THAT TOOLS ARE NOT COVERED BY THE HOMEOWNER'S POLICIES. HE COMMENTED WHILE STAFF SYMPATHIZES WITH MR. THOMAS AND HIS SITUATION, THE CLAIM WAS DENIED BY STAFF IN ACCORDANCE WITH THE CITY'S CURRENT POLICY WHICH DOES NOT OBLIGATE THE CITY FOR REPLACEMENT OF PERSONAL PROPERTY THAT IS DAMAGED OR STOLEN FROM A CITY FACILITY. He added that Mr. Thomas has appealed that decision to the Board; and the options to be considered tonight are (1) pay the full amount of the claim (\$4,034.68) for the replacement of the toolbox; (2) pay a modified amount of the claim; (3) pay for replacement of the tool box with a lesser model valued at \$1,187.98, to which Mr. Thomas has indicated he is willing to accept in lieu of award of the claim; (4) reimburse Mr. Thomas with all or a portion of the \$147.04, which was received from the claim; or (5) any other resolution the Board deems necessary.

Director Maruthur asked if Mr. Thomas had said he was willing to accept the lesser model valued at \$1,187.98; and Mr. Mallett replied that is what he indicated. He advised that Mr. Thomas went to a hardware store and looked at a model and submitted a price for that model.

Director Keheley pointed out it is management's responsibility to make sure the city employees know all the policies and regulations, especially that affect their employment where it is applicable to their personal property. She questioned if it was clear throughout the city departments in making sure those regulations are known to employees. Mr. Mallett replied that he was not sure what Mr. Thomas was told 20 years ago since he began his employment in the Fleet Service Department.

Director Keheley asked Mr. Greg Speas, Director of Fleet Service, what Mr. Thomas knew at that time. Mr. Speas advised that 20 years ago he questioned whether tools were covered and was told they were not covered by city insurance nor that the City was responsible for any tools. He said he did not believe there was any document he can produce from 20 years ago that stipulates the tools are not covered. He stated that he brought up the question and was told that the tools were not covered by city insurance nor is the City responsible for those items, and that is what he has been telling his mechanics. Director Keheley pointed out that Mr. Thomas may not have been aware, and Mr. Speas replied that is possible.

Mayor Bush pointed out that Mr. Thomas has been receiving \$100 a month in tool allowance since he was hired; and Mr. Speas said that he had, which would be \$24,000 over 20 years.

City Manager Lance Hudnell advised that the City does not have a separate policy regarding that because of the tool allowance. He commented that the City does not have a policy that covers employees' personal items they may have at work. He said when those items are found, City staff tries to emphasize that is their personal property and not the City's property.

Director Keheley stressed that she is uncomfortable in telling a 20-year employee that he is responsible, and that is the rule.

Mr. Kenny Thomas, 1854 Oak Grove Road, Caddo Gap, Arkansas, said that he has driven 47 miles each way to work everyday for 20 years. He stated when he was hired January 15, 1990, he was told to have his own tools and his own lockable tool box. He added that the tool allowance for many years was \$25 every two weeks and then was increased to \$100 a month. He commented that all of his employees (25 people) are welcome to use his tools anytime, and he has never lost a tool as long as he has been employed with the City. He pointed out that he has an issue with the City paying claims of other employees on their personal vehicles that have been damaged in the parking lot. He noted that his tools were locked in a lockable building, and his tool box was locked. He pointed out the only other option he had would be to take his tools home everyday, but they weigh about 2,000 pounds.

Mayor Bush asked if they removed his tool box, and Mr. Thomas advised that they did not but went in his welding truck, stole some of his equipment, cut the locking mechanism out, opened the drawers, shoved it over, and cut into a job box which had a lot of tools in it. However, they could not get into it. He advised that he was able to repair the box which saved \$625.

Mayor Bush asked if the Police Department had arrested these individuals, and City Attorney Brian Albright advised that they had. Mayor Bush questioned if there was any possibility of restitution, and City Attorney Brian Albright stated that the City has to go through the court process in District Court. He noted the Court can order that they pay restitution, but that is usually at a minimal amount. He stated he does not know the financial ability of those people to pay, but he is sure it would be slow.

Director Maruthur asked if he would accept Option No. 3, which would be the replacement cost of his tool box; and Mr. Thomas replied that he would. Director

Maruthur commented when he began, he was not operating under the current policy. Mr. Thomas said he did not know there was a policy. Director Maruthur stressed that the City is responsible for protecting his product. She pointed out he receives a tool allowance of \$100 a month, which is for damages to the tools; and he replaced them. She pointed out he could not carry home 2,000 pounds of tools every night. She asked if he was ever told to obtain insurance on his tools, and Mr. Thomas replied that he was not. He added that he was told to have a lockable tool box and to have his own tools. Director Maruthur said she thinks it is only fair to approve Option No. 3. She added that the City's policy has changed and expressed appreciation to Mr. Thomas for all of his work.

A motion was made by Director Maruthur, duly seconded by Director Keheley, to approve Option No. 3, which would provide Mr. Thomas with the lesser model valued at \$1,187.98.

Upon discussion, Director Ramick stated in his job, he is required to have a computer; and he chose to have a laptop, which is his personal computer. He pointed out if someone breaks into his office, he is responsible for that computer and his company is not going to replace the computer that someone steals. He commented he feels this is the City's policy, and the Board needs to follow the policy.

Director McCabe pointed out that the City provides a tool allowance for a number of reasons, and one is to replace tools that are required. Also, he wears out a toolbox and needs to replace that toolbox. He commented this is a terrible situation and emphasized it is important to have good tools and a secure place to store them. However, he believes the City is providing for that through the tool allowance, which is \$100 a month or \$1,200 a year; and those funds can be allocated to a new toolbox.

Director Maruthur said there is a policy now in place, and she believes getting this employee his toolbox is the right thing to do. She commented she did not think this was opening the floodgates to anything. At this time, she called for the question.

Mayor Bush then called for a vote on the motion to approve Option No. 3 (pay for replacement of toolbox with a lesser model valued at \$1,187.98, which includes tax); and upon roll call, the following voted "aye": Directors Maruthur, Jones, and Keheley, total 3. Voting "no": Directors McCabe, Ramick, and Bush, total 3. Absent and not voting: Director Daniel; motion failed.

City Attorney Brian Albright advised that the motion failed, and the item is still on the floor for discussion. He said it is not a final adjudication of the issue because a

motion was made to do something. He pointed out that the Board does not have a resolution to vote up or down; and Director Maruthur just made a motion to take action, which has failed.

At this time, a motion was made by Director McCabe, duly seconded by Director Ramick, to deny the claim in its entirety; and upon roll call, the following voted "aye": Directors McCabe, Ramick, and Bush, total 3. Voting "no": Directors Maruthur, Jones, and Keheley, total 3. Absent and not voting: Director Daniel; motion failed.

Mr. Thomas said that he has four claims (two were in 2005 where the City paid \$585 and \$800 for repairs on personal vehicles in the City's parking lot). Also, he has one in 2008 where the City paid \$1,320 for damage in the City's parking lot.

City Attorney Brian Albright said it may be the City's facilities, but he has no knowledge about the nature of those claims. He added that he does not know what the facts are.

City Manager Lance Hudnell pointed out that City Attorney Brian Albright is asking what caused the damage. Mr. Thomas replied that the Police Department caused most of it, but the brushhog damaged a vehicle and put rocks on it and had to have it repainted. City Manager Lance Hudnell explained that was an action by the City and not an action by someone outside the City.

A motion was made by Director Keheley, duly seconded by Director Jones, to table the claim until the next Board Meeting and get a clear proposal.

Upon discussion, Director McCabe asked if it can be written in a different manner; and City Attorney Brian Albright advised that it can be presented to the Board in the form of a resolution. He added that is the problem with claims when they come to the Board. He pointed out there is never a definitive action that is being requested by the Board; but staff can present it in the form of a resolution.

At this time, Mayor Bush called for a vote on the motion to table the issue until the next Board Meeting and come back with a clear proposal; and upon roll call, the following voted "aye": Directors Maruthur, Jones, Keheley, McCabe, Ramick, and Bush, total 6. Absent and not voting: Director Daniel; motion unanimously carried.

OTHER BUSINESS

20 Board of Directors Items for Discussion

Mayor Bush announced that Director Maruthur will serve as the Assistant Mayor for the term July through December 2010.

Director McCabe asked if a date has been set for the presentation of the audit, and City Manager Lance Hudnell replied that it has to be completed by June 30. It is now to the auditors, and they are making their final comments.

Finance Director Dorethea Yates advised that it will be at the first meeting in July (July 6).

Director Keheley questioned the midyear financial report and evaluation, and City Manager Lance Hudnell advised that staff will begin meetings the first week of July and will probably come to the first Board Meeting in August.

21 City Manager's Report

City Manager Lance Hudnell gave the following report:

1. The Arkansas Municipal League Meeting begins tomorrow, and registration will be at 2 p.m. tomorrow at the Hot Springs Civic and Convention Center. If any Director does not want a handbook, they need to let him know since they can be used by city staff. Thursday morning is the host city breakfast; and for those who can attend, they need to arrive at 7:15 a.m., Hall B through Hall D, to greet the delegates as they come in. There will be a welcome name tag to wear and hand out the Commemorative Quarters as a gift from the City of Hot Springs to those delegates who are attending. There is a limited number and only can give to those who have a name tag. They were put in with the white gloves, thanks to Ms. Margaret Parris, executive secretary; and they do count as uncirculated quarters. He expressed appreciation to Mr. Larry Merriman, Utilities Operation Manager; Mr. Lance Spicer, City Clerk; Spa City Pacers and others, who will be hosting the walk/run. There is a unique t-shirt, which was developed by Mr. Dan Bugg, Animal Services Director, who did the artwork. The characters who are commemorated are Mr. Gary Campbell, president; and Mr. Don

Zimmerman, executive director of the Arkansas Municipal League. They will only be distributed to those who participate in the walk/run at 6:30 a. m. on Thursday. At 9 a.m. on Thursday, Mayor Bush will give his welcome and address.

2. Thank-you's were received from the Pine Bluff Fire Chief, Pine Bluff Fire Department, and Pine Bluff Mayor to the Hot Springs Fire Department. The Hot Springs Fire Department filled in for them during the funeral services for Lieutenant David Curlin. A thank-you was also addressed to Randy Norman, Eddie Bettis and Jeff Mitchell of Utilities from Tom Braughton, Fire Marshall. There has been cooperation from those three individuals with regard to the fire hydrant maintenance program.

3. There are a number of openings on the committees and guidance is needed from the Board. Ms. Margaret Parris, executive secretary, has noted she has one applicant for each of these positions. However, it has been the Board's policy that the Directors did not want staff to present only one applicant. At this time, that is all that has been received after several repeated attempts for additional applicants. Some of these are getting critical, particularly Planning Commission. One position needs to be filled on the Civil Service Commission and can be from all districts; there is one position on the Board of Zoning Adjustment and can be from all districts; there is one position on the Urban Forestry Advisory Committee and can be from all districts; there are two positions on the Transportation Advisory Committee and can be from all districts; and there are three positions on the Planning Commission from Board Districts 2, 5 and 6.

Director Maruthur requested that he put that in the form of an e-mail and send it to the Board. City Manager Lance Hudnell advised that Ms. Parris did that last week, but he will do it again. He stressed that the City needs applicants or needs the Board to let staff know whether to bring forward the ones he currently has.

4. On Saturday, "All Dogs Go to Heaven" will be showing at dusk at the Airport.

5. He distributed a draft of a procedure regarding the Police Chief appointment process noting that the Civil Service Commission meets tomorrow afternoon. He noted this is a tentative schedule with target dates, and the first item is to develop an ideal candidate profile questionnaire. The City wants to get more in-depth with regard to what the community would like to see. He would like to hear from the Board, Civil Service Commission, and citizens at-large with regard to that. He will create an instrument to assist in getting started with that, and it will be open-ended so comments can be added. Last time, the City did open-ended interviews; but this time he would like to have a little more focus to it. He and Ms. Minnie Lenox, Human Resources Director, are working on an instrument to assist with that. As the City has done in the

past, it will appoint a Chief of Police interview group to assist him in the initial interviews; and the Civil Service Commission has override responsibility under state law. At this time, he is looking at a committee that would consist of himself; Mr. Steve Mallett, Deputy City Manager for Public Works and Utilities; Mr. Sam Stathakis, as chairman of the Civil Service Commission; Mr. Steve Oliver, the City's prosecuting attorney; and two citizens to be announced. He is looking for someone in the community who is well recognized that has been part of a large organization that is familiar with policies and procedures. He is particularly interested in someone who has a good group history with the City, particularly with regard to the neighborhoods and has some history growing up in the neighborhoods. If there is an individual to be considered, he asked that their name to be submitted. City Attorney Brian Albright and Ms. Lenox will serve as advisors to that group. Also, Ms. Lenox will sit in on all of the interviews. Assuming it was like last time, the City received 75 or 100 applications. At the staff level, that will be narrowed down to 20 or 30 to present to the committee and then the committee to narrow it to 8, 10 or 15 for a telephone-type interview. It will then be narrowed down to the finalists, either internal or external, who would come for a full day-type interview where they would have a formal interview before him and the committee. They would then have informal meetings with the Board of Directors, Civil Service Commission, the sheriff, and citizens-at-large. He would like to hold the public forums as they did the last time where the community has a chance to meet the finalists before a selection is made. If there happens to be an external candidate in the finalists where the committee needs to do home community visits, that is something important that needs to be considered later in the process. There is a memo from Ms. Lenox in the packet that indicates the various areas in which she will be doing announcements. She has about 20 different sources where the announcement will go. Many of them are web-based, but some of them are monthly newsletters or news magazines in the law enforcement industry. There are a number of agencies the City will be advertising through, and there are a couple of those that are minority-oriented. There are certain organizations that work primarily with law enforcement in those areas. He is meeting with the Civil Service Commission tomorrow to make them aware of the process. If the Board has any questions or feedback, please contact him. He stressed that the target dates are target dates and will probably change.

22 ADJOURNMENT

There being no further business to come before the Board, the meeting adjourned at 8:00 p.m., to meet again on Tuesday, July 6, 2010, at 7:00 p.m.

ATTEST: _____

APPROVED: _____

Lance Spicer, City Clerk

Mike Bush, Mayor