

## City of Hot Springs, Arkansas

### Board of Directors Regular Meeting Minutes

Tuesday, January 7, 2014

Board Chambers, City Hall

Invocation by Les Warren

Pledge of Allegiance to the Flag led by Mayor Ruth Carney

Call to Order

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

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

Present 7- Directors Suzanne Davidson-District 1, Elaine Jones-District 2, Becca Clark-District 3, Pat McCabe-District 4, Karen Garcia-District 5, Randy Fale-District 6 and Mayor Ruth Carney. Absent 0. Also present City Manager David Watkins and City Attorney Brian Albright.

#### 2. Consider Approval of the Agenda

##### **Motion to Approve the Agenda**

Director Karen Garcia made a motion, duly seconded by Director Becca Clark to approve the agenda as presented. Upon roll call vote, the motion unanimously carried 7-0.

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

- Regular Meeting held on December 17, 2013
- Special Meeting held on December 10, 2013

##### **Motion to Approve the Minutes as Presented.**

Director Pat McCabe made a motion, duly seconded by Director Karen Garcia to approve the minutes as amended. Upon voice vote, the motion unanimously carried 7-0.

#### 4. Recognition of Guests

- Mayor Carney read a proclamation honoring the retirement of Director Karen Garcia from Weyerhaeuser Corporation, and then presented her with a Key to the City.

#### 5. City Manager's Report

City Manager David Watkins highlighted the following item:

- Complimented city crews that work outdoors in the frigid weather.
- Reminded citizens to use common sense when heating your home during the cold weather. Use caution when using space heaters within your homes. Also, try and weatherize your pipes to avoid dealing with broken systems.
- Reminded Citizens about a public hearing to be held on Thursday at 6:00 at the Transportation Depot regarding the City's Brownfield Grant Applications.

6. **Board of Directors Announcements**

**Director Karen Garcia**

- Announced that on January 15th you may receive a free Hot Springs license plate from the Convention Center from 7:30 to 2:00 or until supplies run out.

**Director Elaine Jones**

- Reminded Citizens of the upcoming Martin Luther King Prayer Breakfast to be held on January 18<sup>th</sup>. You may call the Webb Center for tickets.

7. Acknowledgement of Financial Statements for November 2013

**CONSENT AGENDA**

**Motion to Approve the Consent Agenda**

A motion was made by Director Elaine Jones, duly seconded by Director Becca Clark, that the Consent Agenda be approved.

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

**The Consent Agenda consisted of the following:**

8. Consider Resolution No. R-14-01 A Resolution Awarding A Contract And Bid Award To On-Line Construction, Inc. For Excavation, Paving And Utility Improvements To The South Aircraft Ramp Area At The Airport. **\$92,000**
9. Consider Resolution No. R-14-02 A Resolution Approving Change Order #10 To The Contract With Cate Construction, Inc. To Construct Phase 5A Of The Hot Springs Creek Greenway Trail Known As Utility Service Center Trail, Phase 1. **\$12,449 (Grant \$9,959.20, City Match \$2,489.80)**
10. Consider Resolution No. R-14-03 A Resolution To Authorize and Support Grant Applications For Environmental Protection Agency Brownfield Assessment And Revolving Loan Funds For 2014.
11. Consider Resolution No. R-14-04 A Resolution Awarding An Annual Supply Contract (ASC) HD Supply Waterworks For Fire Hydrants And Parts. **Not To exceed Budgetary Constraints.**
12. Consider Resolution No. R-14-05 A Resolution Waiving Certain Administrative Fees For Development Of Affordable Housing By Nonprofit Organizations

**PUBLIC HEARING**

13. Consider A Public Hearing On The Possible Annexation Of Land Known As The Higdon Ferry Enclaves In To The City Of Hot Springs.

This being the time and date set for a public hearing on the possible annexation of land known as the Higdon Ferry Enclave into the City of Hot Springs, Mayor Carney declared the public hearing open.

**Discussion:** Kathy Sellman, Planning and Development Director

**Speakers:** Joe White, Brian Albright, City Attorney  
Mayor Carney

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

#### **NEW BUSINESS**

#### **14. Consider Resolution No. R-14-06**

A Resolution entitled, "Authorizing Amendments To The Budget For The City Of Hot Springs, Arkansas, For The Year 2014", was taken from the agenda and read by title only (City Attorney).

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

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

**Speakers:**  
Directors Karen Garcia, Randy Fale,  
Staff-City Manager David Watkins

**Roll Call:** Mayor Carney called for a vote on the Motion to adopt; and upon roll call, the following voted "aye" Directors Davidson, Jones, Clark and McCabe, total 4. Voting "no" Directors Garcia, Fale and Mayor Carney, total 3; motion carried 4-3.  
Whereupon the Resolution was declared adopted.

#### **15. Proposed Ordinance No. O-14-01**

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

An Ordinance entitled, "*An Ordinance Amending The Zoning Code Of The City Of Hot Springs, Arkansas By Rezoning Property Located On Kerry Street Described Herein To Extend Existing Manufactured Home Overlay; And For Other Purposes,*" was taken from the agenda and read by title only (City Attorney).

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

**Discussion:** Kathy Sellman, Planning and Development Director spoke to the item.

**Speakers:** none

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

**16. Proposed Ordinance No. O-14-02**

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

An Ordinance entitled, "*An Ordinance Adopting The Arkansas Fire Prevention Code, 2012 Edition; Amending And Repealing Certain Ordinances; And For Other Purposes,*" was taken from the agenda and read by title only (City Attorney).

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

**Discussion:** Mike Scott, Chief Building Official spoke to the item.

**Speakers:**

Directors Pat McCabe, Randy Fale, Karen Garcia Mayor Ruth Carney  
David Watkins, City Manager, Brian Albright, City Attorney

**Motion to Amend:** Director Randy Fale made a motion, duly seconded by Director Elaine Jones that the Ordinance be amended by removing section 2A and maintaining the current fee schedule. Upon roll call the motion unanimously carried 7-0.

**Discussion:** Directors Karen Garcia, Randy Fale, Suzanne Davidson  
City Attorney Brian Albright

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

**17. Proposed Ordinance No. O-14-03**

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

An Ordinance entitled, "*An Ordinance Levying A Supplemental Annual Assessment For The Central Business Improvement District No. 3 Of The City Of Hot Springs, Arkansas, For 2014,*" was taken from the agenda and read by title only (City Attorney).

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

**Discussion:** Lance Spicer, Assistant City Manager spoke to the item.

**Speakers:** Director Randy Fale and Karen Garcia, Mayor Carney

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

Whereupon the Ordinance was declared adopted.

#### EXECUTIVE SESSION

**Motion to adjourn into Executive Session:** A motion was made by Director Elaine Jones, duly seconded by Director Randy Fale that the board adjourn into Executive Session to consider the annual evaluation of the City Attorney and the City Manager; and upon voice vote, the motion unanimously carried 7-0. The Board then adjourned into executive session at 8:04 p.m.

18. Consider the Annual Evaluation of the City Attorney
19. Consider the Annual Evaluation of the City Manager

#### RECONVENE INTO OPEN SESSION

The Board reconvened into open session at 9:55 p.m. Mayor Carney announced that there is to be no action taken regarding the annual evaluations of the City Attorney and City Manager.

#### BOARD COMMENTARY

#### 20. Board of Directors' Items for Discussion-none

#### 21. ADJOURNMENT

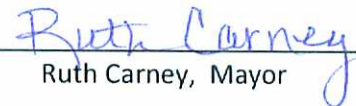
There being no further business to come before the Board, a motion was made by Director Elaine Jones, duly seconded by Director Suzanne Davidson, that the meeting be adjourned; and upon voice vote, the motion unanimously carried 7-0. The Meeting adjourned at 9:58 p.m. to meet again on Tuesday, January 21, 2014, at 7:00 p.m.

ATTEST:



Lance Spicer, City Clerk

APPROVED:



Ruth Carney, Mayor