

**City of Hot Springs, Arkansas
Board of Directors
Regular Meeting Minutes**

Tuesday, May 6 2014

Board Chambers, City Hall

Invocation by Allen Rosenau
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 Deputy City Manager Bill Burrough and City Attorney Brian Albright.

2. Consider Approval of the Agenda

Motion to Amend the Agenda

Director Karen Garcia made a motion, duly seconded by Director Elaine Jones to amend the agenda by removing the following item from the agenda:

Item #28 Consider Resolution No. R-14-84 *A Resolution Adopting The Cultural Norm Policy For The Hot Springs Fire Department.*

Upon voice vote, the motion unanimously carried 7-0

Motion to Approve the Agenda as Amended

Upon roll call vote, the motion unanimously carried 7-0.

3. Consider Minutes of the Board of Directors Meeting:

➤ Regular Meeting held on April 15, 2014

Motion to Approve the Minutes as Presented.

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

4. Recognition of Guests

- Mayor Carney welcomed those in attendance and acknowledged the following:
- JoAnn Mitchell, First Step
 - Proclamation Acknowledging National Police Officers Week
 - Proclamation Acknowledging National Flood Awareness Month
 - Proclamation Acknowledging National Salvation Army Week.

5. City Manager's Report

Deputy City Manager Bill Burrough reported on the following items:

- Commended the Sanitation Department. During the Spring Fling City Wide Clean up event, Operations Manager Margie Hillistad and her staff collected more than 197 tons of debris.
- Arbor Day was held on April 25 at Entergy Park and had over 500 students attend the event.
- Household Hazardous Waste Collection Event will be held May 10, 8:00-1:00 at the Garland County Fairgrounds
- 2014 Election Packets will be available in the City Clerks Packet beginning Wednesday, May 7.

6. Board of Directors Announcements

Director Suzanne Davidson

- Arts in the Park will host music at the Farmers Market and have created a map that outlines all of the local studios available for touring.
- The Park Avenue merchants association plans to have a monthly festival on the 2nd Saturday of the month in the 100-900 block of Park Avenue.

Director Karen Garcia

- Asked Asst. City Manager Lance Spicer to discuss the upcoming Brownfield Grant information meeting to be held on Thursday, June 5, 2014 at the Hot Springs Convention Center.

Director Pat McCabe

- Project Hope will be conducting a educational workshop on May 9, from 1-4 at the Community Counseling Center. Topic will be on Suicide Prevention with instructor Shelby Rowe.
- On May 26, there will the annual Du for the Parks at the Transportation Depot.
- Encouraged motorist to be alert for bicyclist.

CONSENT AGENDA

Motion to Approve the Consent Agenda

A motion was made by Director Becca Clark, duly seconded by Director Elaine Jones, 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:

7. Consider Resolution No. R-14-63 A Resolution Entering Into A Memorandum Of Understanding With The Arkansas Air Coordination Group (ACG) To Promote Coordination With Hot Springs Memorial Airport To Facilitate The Response To A Disaster.
8. Consider Resolution No. R-14-64 A Resolution Approving The City Of Hot Springs Financial Statements For March, 2014.
9. Consider Resolution No. R-14-65 A Resolution Adopting Policies, Procedures And Fees For The Sport Recreation Department.
10. Consider Resolution No. R-14-66 A Resolution Adopting Policies, Procedures And Fees For The Parks And Trails Department; And Repealing Certain Resolutions.
11. Consider Resolution No. R-14-67 A Resolution Rescinding Resolution No. 8409, (A-Team Mowing Contract).
12. Consider Resolution No. R-14-68 A Resolution Awarding The Contract For Mowing/Ground Maintenance Annual Supply Contract Of Various Locations To U.S. Lawns.
13. Consider Resolution No. R-14-69 A Resolution Approving A Bid To Tri State Truck Center For A Commercial Collection Vehicle For The Sanitation Department. **\$243,759**
14. Consider Resolution No. R-14-70 A Resolution Approving A Bid To Truck Centers Of Arkansas For Residential Collection Vehicles For The Sanitation Department. **\$317,310**
15. Consider Resolution No. R-14-71 A Resolution Approving A Bid To Truck Centers Of Arkansas For A Recycle Collection Vehicle For The Sanitation Department. **\$165,943**
16. Consider Resolution No. R-14-72 A Resolution Authorizing The Filing and Acceptance Of A Grant With The U.S. Department Of Justice Pursuant To The Bureau Of Justice Assistance, Bulletproof Vest Partnership Program.
17. Consider Resolution No. R-14-73 A Resolution Authorizing The Filing and Acceptance Of A Grant From The State Of Arkansas (D.W.I. And Other Drug Countermeasures And Occupant Protection Program).
18. Consider Resolution No. R-14-74 A Resolution Approving The Purchase Of Laptop Computers For The Police Department From Turn Key Mobile Pursuant To The State Of Arkansas Cooperative Purchasing Program And The Western State Contracting Alliance (WSCA). **\$89,335.76**
19. Consider Resolution No. R-14-75 A Resolution Authorizing A Memorandum Of Understanding Between The City Of Hot Springs Police Department And LifeNet EMS.
20. Consider Resolution No. R-14-76 A Resolution Approving Change Order No. 1 And 2 To The Contract With Prograss For The Kimery Park Infield Construction Project. **\$45,875.75**

21. Consider Resolution No. R-14-77 A Resolution Accepting A Donation Of A Certain Real Property From Diana L Pyron, Jeffery Scott Pyron And Tammy Carroll Pyron (Michael Street Bridge Replacement).
22. Consider Resolution No. R-14-78 A Resolution Awarding A Contract To Brown Engineers For Regional Plant Controls/HMI Upgrades. **\$264,392**
23. Consider Resolution No. R-14-79 A Resolution Awarding A Bid To G&W Diesel Services Inc. For Stationary Pump Engine And Muffler Assembly. **\$58,499**
24. Consider Resolution No. R-14-80 A Resolution Awarding An Annual Supply Contract (ASC) To GWG Wood Group, Inc. For Compost Grinding. **Not To Exceed Budgetary Constraints.**
25. Consider Resolution No. R-14-81 A Resolution Approving The Purchase Of A John Deere Backhoe Loader For Water Distribution From John Deere Construction Retail Sales Pursuant To The State Of Arkansas Cooperative Purchasing Program And The Intergovernmental Association With The National Joint Powers Alliance (NJPA). **\$97,113.36**

NEW BUSINESS

26. Consider Resolution No. R-14-82

A Resolution entitled, *"A Resolution To Significantly Amend Resolution Nos. 7525, 7771, 7923, 8014, 8081, 8232, And 8399 To Community Development Block Grant (CDBG) Fiscal Years (FY) 2011 -2012 - 2013 Annual Action Plans (AAP) As Amended To Reallocate \$416,879.54 To Eligible Projects"*, 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: Kathy Sellman, Planning and Development Director spoke to the item.

Speakers: Mark Toth, Thomas Anderson, Verna Linder, Nicole Good, Janice Jones, Elmer Beard, Jean Lacefield, and John Selig.

Directors: Suzanne Davidson, Randy Fale, Elaine Jones

Motion to Amend

Director Elaine Jones made a motion, duly seconded by Randy Fale to remove all projects from the contingency list pertaining to the Hot Springs Housing Authority.

Discussion: Directors Pat McCabe, Randy Fale, Elaine Jones and Mayor Ruth Carney,

Roll Call: Mayor Carney called for a vote on the Motion to amend; and upon roll call, the following voted "aye" Directors Davidson, Jones, and Mayor Carney, total 3. Voting "no", Directors Clark, McCabe, Garcia and Fale, total 4; motion failed 3-4

Motion to Amend:

Director Karen Garcia made a motion, duly seconded by Elaine Jones that all allocations from the Board of Directors to the Hot Springs Housing Authority must be approved separately.

Roll Call: Mayor Carney called for a vote on the Motion to amend; 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

Discussion: Pat McCabe, Suzanne Davidson, Mayor Carney

Roll Call: Mayor Carney called for a vote on the Motion to Sadopt 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 Resolution was declared adopted

27. Consider Resolution No. R-14-83

A Resolution entitled, "*A Resolution Approving A Community Development Block Grant (CDBG) Fy2014 Annual Action Plan And Authorizing Submission Of A Grant Application To The U.S. Department Of Housing And Urban Development (HUD) For Projects Listed In The Action Plan*", 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: Speaking for the item: Janice Jones. Voting against the item: Jean Lacefield and Mark Toth.

Directors: Randy Fale, Karen Garcia, Becca Clark, Elaine Jones

Staff: City Attorney Brian Albright, Deputy City Manager Bill Burrough,

Motion to Amend:

Director Karen Garcia made a motion, duly seconded by Director Becca Clark to reallocate the \$87,254 (designated for Majestic Hotel Clean up) to fund the first three items on the contingency list of Board Agenda Item #26 R-14-82 which are listed as:

<i>Sidewalk and ADA improvements on Market, Court and Quapaw *</i>	<i>\$ 6,525.00</i>
<i>Sidewalk and ADA improvements on the SOUTH side of Prospect Ave*</i>	<i>\$ 43,046.00</i>
<i>Baseball Trail Park (formerly Whittington City Park) baseball infield repairs*</i>	<i>\$ 12,000.00;</i>

with the remaining balance of \$25,683 to be designated for demolition and clearance of condemned structures.

Discussion: Randy Fale, Elaine Jones, Pat McCabe, Karen Garcia and Mayor Carney

Roll Call: Mayor Carney called for a vote on the Motion to Amend; 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

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 Resolution was declared adopted

28. ~~Consider Resolution No. R-14-84~~ A Resolution Adopting The Cultural Norm Policy For The Hot Springs Fire Department. Pulled from Agenda

29. Consider Resolution No. R-14-85

A Resolution entitled, "A Resolution Approving The 2014 Annual Paving Program", 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 Pat McCabe.

Discussion: Gary Carnahan, City Engineer spoke to the item.

Speakers: Director Karen Garcia, Pat McCabe and 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 Resolution was declared adopted

30. Consider Resolution No. R-14-86

A Resolution entitled, "A Resolution Awarding A Contract To Crist Engineers For Certain Professional Services, (Engineering Services For Water System Improvements)", 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: Gary Carnahan, City Engineer, and Stewart Nolen, Crist Engineers spoke to the item.

Speakers: Speaking against the item: Dan Lewin, Dan Morpew, Diane Silverman, George Pritchett and Bob Driggers.

Directors: Randy Fale, Karen Garcia

Staff: Deputy City Manager Bill Burrough

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 Resolution was declared adopted

31. Consider Resolution No. R-14-87

A Resolution entitled, "A Resolution Establishing The Hot Springs Board Of Directors 2015 Arkansas General Assembly Legislative Priorities" 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: Lance Spicer, Asst. City Manager 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 Resolution was declared adopted

32. Proposed Ordinance No. O-14-34

Motion to Suspend Rules and Read by Title Only: A motion was made by Director Elaine Jones, 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 Waiving The Requirements Of Competitive Bidding For The Purchase Of Certain Real Property Related To The Hot Springs Creek Greenway Project; 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 Suzanne Davidson.

Discussion: Jean Wallace, Parks and Trails Director, spoke to the item.

Speakers:

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.

33. Proposed Ordinance No. O-14-35

Motion to Suspend Rules and Read by Title Only: A motion was made by Director Elaine Jones, 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 Acknowledging The Existence, Authority And Jurisdiction Of The Hot Springs Police Department,*" 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: City Attorney Brian Albright 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.

34. Proposed Ordinance No. O-14-36

Motion to Suspend Rules and Read by Title Only: A motion was made by Director Pat McCabe, 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 Approving C-4 Regional Commercial/Open Display Zoning On One Acre At 155 Blackhawk, And Amending The Future Land Use Plan Map To Designate The Area Regional Commercial; 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 Pat McCabe, duly seconded by Director Randy Fale.

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.


BOARD COMMENTARY

35. Board of Directors' Items for Discussion

36. ADJOURNMENT

There being no further business to come before the Board, a motion was made by Director Elaine Jones, duly seconded by Director Randy Fale, that the meeting be adjourned; and upon voice vote, the motion unanimously carried 7-0. The Meeting adjourned at 10:00 p.m. to meet again on Tuesday, May 20, 2014, at 7:00 p.m.

ATTEST:


Lance Spicer, City Clerk

APPROVED:


Ruth Carney, Mayor