

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

Tuesday, February 5, 2019

Board Chambers, City Hall

**Invocation** by Natasha Langston

**Pledge of Allegiance to the Flag** led by the Hot Springs Boy Scouts Troop

**Call to Order**

**Meeting called to Order by Mayor Pat McCabe at 7:00 p.m.**

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

Present- Suzanne Davidson- District 1, Directors Elaine Jones- District 2, Becca Clark-District 3, Carroll Weatherford-District 4, Karen Garcia- District 5, Randy Fale-District 6, and Pat McCabe- Mayor. Also present City Manager Bill Burrough, Assistant City Manager Lance Spicer, 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 Carroll Weatherford to approve the agenda as presented. Upon voice vote, the motion unanimously carried 7-0.

**3. Consider Minutes of the Board of Directors Meeting**

➤ Regular Meeting held on January 15, 2019

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

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

**4. Consider Recognition of Guests**

➤ Presentation of a Certificate of Thriving Community by Parks and Trails Director Anthony Whittington on behalf of Arkansas Coalition for Obesity Prevention.

**5. City Manager's Report**

City Manager Bill Burrough presented the 2018 State of the City Address.

**6. Board of Directors Announcements**

➤ Director Karen Garcia announced that the American Association of Retired Persons (AARP) is offering tax preparation assistance at the Garland County Library and the upcoming District Five meeting at the Forest Lakes Clubhouse on the Oaklawn Racing and Gaming Expansion with guest speaker Mr. Eric Jackson.

➤ Director Suzanne Davidson recognized the Park Avenue Neighborhood Association for their years of work on the redevelopment of the Park Avenue area.

- Director Elaine Jones recognized the Gateway Community Association for their work in District One.
- Mayor Pat McCabe announced the upcoming 2022 Union Cyclist International (UCI) Cyclocross Championships will be held in Fayetteville, Arkansas.

### **CONSENT AGENDA**

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

A motion was made by Director Randy Fale duly seconded by Director Karen Garcia that the Consent Agenda be approved.

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

- Consider Resolution No. R-19-08 A Resolution Awarding A Contract Crist Engineers, Inc. For Certain Professional Design And Construction Engineering Services Related To Phase 2 Of The 2019 Water Line Improvements Project.
- Consider Resolution No. R-19-09 A Resolution Amending Resolution No. 6776; Modifying The Description Of VCK Court; And For Other Purposes.
- Consider Resolution No. R-19-10 A Resolution Applying And Accepting A “Greening Of Arkansas” Grant From The Arkansas Flower And Garden Show.
- Consider Resolution No. R-19-11 A Resolution Consolidating Staff Bus Operator Positions For The Intracity Transit Department, And For Other Purposes.

### **NEW BUSINESS**

#### **7. Consider Resolution No. R-19-12**

A Motion entitled, “A Resolution Accepting A Donation Of Certain Real Property From Hot Springs Friends Of The Parks For Further Development Of The Hot Springs Creek Greenway Trail Known as The Southern Trail Phase One,” 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 Randy Fale, duly seconded by Director Carroll Weatherford.

**Discussion:** Angie Ezekiel and Ned Skoog

**Speakers:** Parks and Trails Director Anthony Whittington spoke to the item.

**Staff:** None.

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

Whereupon the Motion was declared Adopted.

#### **8. Consider Resolution No. R-19-13**

A Motion entitled, “A Resolution Approving The Extension Of The Aviation Fuel Agreement With AvFuel Corporation.,” 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 Becca Clark, duly seconded by Director Elaine Jones.

**Discussion:** None.

**Speakers:** Airport Director Glen Barentine spoke to the item.

**Staff:** None.

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

Whereupon the Motion was declared Adopted.

**9. Consider Resolution No. R-19-14**

A Motion entitled, “A Resolution Approving An Analysis Of Impediments To Fair Housing Choice Study.,” 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:** Directors Karen Garcia and Randy Fale spoke to the Item.

**Speakers:** Planning and Development Director Kathy Sellman spoke to the Item.

**Staff:** None.

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

Whereupon the Motion was declared Adopted.

**10. Consider Resolution No. R-19-15**

A Motion entitled, “A Resolution Amending Community Development Block Grant (CDBG) Fiscal Year 2018 Annual Action Plan (AAP) As Amended To Reallocate \$7,503.14 To Eligible Fair Housing Education And Outreach Activities.,” 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:** None.

**Speakers:** Planning and Development Director Kathy Sellman spoke to the Item.

**Staff:** None.

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

Whereupon the Motion was declared Adopted.

**11. Consider Resolution No. R-19-16**

A Motion entitled, "A Resolution Approving A Community Development Advisory Committee's Prioritized FY2019 Applications To Be A Basis For A FY2019 Community Development Block Grant (CDBG) Annual Action Plan To The United States Department Of Housing And Urban Development (HUD)," 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 Carroll Weatherford, duly seconded by Director Karen Garcia.

**Discussion:** Cindy Rogers, Angie Ezekiel and Director Karen Garcia spoke to the item.

**Speakers:** Planning and Development Director Kathy Sellman spoke to the Item.

**Staff:** None.

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

Whereupon the Motion was declared Adopted.

**12. Consider Resolution No. R-19-17**

A Motion entitled, "A Resolution Amending Resolution No. 2481; Adopting General Policies And Procedures For The Creation Of Advisory Committees," 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 Karen Garcia.

**Discussion:** None.

**Speakers:** City Attorney Brian Albright spoke to the Item.

**Staff:** None.

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

Whereupon the Motion was declared Adopted.

**13. Consider Resolution No. R-19-18**

A Motion entitled, "A Resolution Establishing The Hot Springs Board Of Directors 2019 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 Randy Fale, duly seconded by Director Carroll Weatherford.

**Discussion:** None.

**Speakers:** Assistant City Manager Lance Spicer spoke to the Item.

**Staff:** None.

**Roll Call:** Mayor Pat McCabe called for a vote on the Motion to adopt; and upon roll call, the following voted “aye” Directors Davidson, Jones, Clark, Weatherford, Garcia, Fale, and McCabe, total 7. Voting “no”, none, total 0; motion passed 7-0.  
Whereupon the Motion was declared Adopted.

**14. Consider Resolution No. R-19-19**

A Motion entitled, “A Resolution Establishing A Ouachita Avenue Entertainment District Within The City Of Hot Springs,” 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 Becca Clark, duly seconded by Director Suzanne Davidson.

**Discussion:** Director Carroll Weatherford spoke to the Item.

**Speakers:** Public Works Director Denny McPhate spoke to the Item.

**Staff:** None.

**Roll Call:** Mayor Pat McCabe called for a vote on the Motion to adopt; and upon roll call, the following voted “aye” Directors Davidson, Jones, Clark, Weatherford, Garcia, Fale, and McCabe, total 7. Voting “no”, none, total 0; motion passed 7-0.  
Whereupon the Motion was declared Adopted.

**15. Consider Ordinance No. O-19-08**

**Motion to Suspend Rules and Read by Title Only:** A motion was made by Director Carroll Weatherford, 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.

A Motion entitled, “An Ordinance Amending Ordinance No. 6211; Adopting New Regulations Governing The Extension And Connection Of Municipal Water And Wastewater Services; Declaring An Emergency; 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 Randy Fale, duly seconded by Director Carroll Weatherford.

**Discussion:** Garland County Judge Darryl Mahoney, Gary Troutman, Director Randy Fale and Mayor Pat McCabe spoke to the item.

**Speakers:** City Attorney Brian Albright spoke to the Item.

**Staff:** None.

**Roll Call:** Mayor Pat McCabe called for a vote on the Motion to adopt; and upon roll call, the following voted “aye” Directors Davidson, Jones, Clark, Weatherford, Garcia, Fale, and McCabe, total 7. Voting “no”, none, total 0; motion passed 7-0.  
Whereupon the Motion was declared Adopted.

**Motion to Adopt the Emergency Clause:** City Attorney Brian Albright then read the Emergency Clause. Upon completion Director Karen Garcia made a motion, duly seconded by Director Randy Fale to

approve the Emergency Clause. Upon roll call, the following voted “aye” Directors Davidson, Jones, Clark, Weatherford, Garcia, Fale, and McCabe, total 7. Voting “no”, none, total 0; motion passed 7-0.

**16. Consider Ordinance No. O-19-09**

**Motion to Suspend Rules and Read by Title Only:** A motion was made by Director Karen Garcia, 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.

A Motion entitled, “An Ordinance Waiving The Requirements Of Competitive Bidding For The Purchase And Installation OF Additional Emergency Warning Sirens From SafetyCom; 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:** None.

**Speakers:** Public Works Director Denny McPhate spoke to the Item.

**Staff:** None.

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

Whereupon the Motion was declared Adopted.

**17. Consider Ordinance No. O-19-10**

**Motion to Suspend Rules and Read by Title Only:** A motion was made by Director Randy Fale, 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.

A Motion entitled, “An Ordinance Amending Ordinance No. 6037; Accepting A New Section Of Right-Of-Way Off Of Tatum Street; 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:** None.

**Speakers:** Public Works Director Denny McPhate spoke to the Item.

**Staff:** None.

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

Whereupon the Motion was declared Adopted.

**18. Consider Ordinance No. O-19-11**

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

A Motion entitled, “An Ordinance Approving A Street Name Arvest Way Located Between Files Road And Section Line Road; Accepting Arvest Way As A City Street, 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 Carroll Weatherford.

**Discussion:** None.

**Speakers:** Public Works Director Denny McPhate spoke to the Item.

**Staff:** None.

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

Whereupon the Motion was declared Adopted.

**19. Consider Ordinance No. O-19-12**

**Motion to Suspend Rules and Read by Title Only:** A motion was made by Director Carroll Weatherford, 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.

A Motion entitled, “An Ordinance Amending Ordinance No. 5329 (Adopting The Hot Springs Plumbing And Gas Code, 2003 Edition), As Amended; Hereby Repealing Certain Sections Relating To RPZ Testing; 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 Carroll Weatherford.

**Discussion:** Ron Jerrell, Darrel Kunkel, Directors Randy Fale, Becca Clark, and Karen Garcia spoke to the Item.

**Speakers:** Assistant City Manager Lance Spicer spoke to the Item.

**Staff:** City Attorney Brian Albright and City Manager Bill Burrough.

**Motion to table until March 19, 2019;** Director Becca Clark made said motion and was duly seconded by Director Carroll Weatherford, upon roll call, the following voted “aye” Directors Davidson, Jones, Clark, Weatherford, Garcia, Fale, and McCabe, total 7. Voting “no”, none, total 0; motion to table passed 7-0.

Whereupon the Item has been tabled until March 19, 2019.

**BOARD COMMENTARY**

**20. Board of Directors’ Items for Discussion**

- Mayor Pat McCabe provided information that Item O-19-12 was brought about following citizen input at Public Comment section of a previous Board of Directors Meeting.

**21. ADJOURNMENT**

There being no further business to come before the Board, a motion was made by Director Elaine Jones, duly seconded by Director Karen Garcia, that the meeting be adjourned; and upon voice vote, the motion unanimously carried 7-0. The Meeting adjourned at 9:02 p.m. to meet again on Tuesday, February 19, 2019, at 7:00 p.m.

DATE: \_\_\_\_\_

ATTEST: \_\_\_\_\_  
Lance Spicer, City Clerk

APPROVED: \_\_\_\_\_  
PAT McCABE, MAYOR