MINUTES
Board of Directors Meeting
7:00 PM - Tuesday, July 7, 2020
Board Chambers, City Hall

Invocation by Susan Jones
Pledge of Allegiance led by Mayor Pat McCabe
Call to Order

A. ROLL CALL OF BOARD OF DIRECTORS

Present: Directors Erin Holliday - District 1 (remotely), Elaine Jones - District 2 (remotely), Becca Clark - District 3, Carroll Weatherford - District 4, Karen Garcia - District 5 (remotely), Randy Fale - District 6, Pat McCabe - Mayor

Not Present: none

Also Present: Bill Burrough - City Manager, Brian Albright - City Attorney, Lance Spicer - Deputy City Manager, Kevin Brownlee - Deputy City Manager, Harmony Morrissey - City Clerk

B. CONSIDER APPROVAL OF THE AGENDA

Motion to Amend the Agenda

Director Fale made a motion; duly seconded by Director Clark to amend the agenda to move item #8, R-20-98 to be the first Ordinance O-20-33. Upon voice vote, the motion carried 7-0.

Motion to Approve the Agenda as Amended

Director Clark made a motion, duly seconded by Director Weatherford to accept the agenda as amended. Upon voice vote, the motion unanimously carried 7-0.

C. CONSIDER APPROVAL OF MINUTES

> Regular Meeting held on June 16, 2020

Motion to Approve the Minutes as Presented

Director Jones made a motion, duly seconded by Director Holliday to approve the minutes as presented. Upon voice vote, the motion unanimously carried 7-0.
D. RECOGNITION OF GUESTS
- Gary Troutman, President and CEO of Hot Springs Chamber of Commerce and Metro Partnership

E. CONSIDER CITY MANAGER’S REPORT
City Manager Bill Burrough reported on the following items:

- The City had two exciting ceremonies in the past two weeks
  - The City and Scenic Hill Solar hosted a groundbreaking ceremony at the Southwest Wastewater Treatment Plant on June 25 for the first of multiple power plant sites in Hot Springs. When completed, the solar plants will total up to 12.55 MW DC of capacity and produce more than 19 million kWh annually for the City of Hot Springs.
  - Chris Chapmond, who assumed the position of Chief of Police for the Hot Springs Police Department on July 1, was presented with his new rank at a badge pinning ceremony on July 2.
  - I’m appreciative to Chief Chapmond as he’s already gotten off to a great start leading our police department. Also thankful for Captain Billy Hrvatin for his excellent work as Interim Chief for the month of June.

- March and April sales tax revenues higher than projected
  - Although April’s sales tax revenues came in almost 16% below the April 2019 amount, the City is still up 1.28% for the year.
  - Our projections were much worse for March and April, with April forecasted at a decrease of 31%.

- Public input requested on comprehensive plan themes
  - Following a nine-month process to create an update to the City of Hot Springs’ comprehensive plan – Forward Hot Springs – feedback from the public is being sought as the plan’s seven themes are being introduced from today through July 13 at www.cityhs.net/forward.
  - Forward Hot Springs’ goal is to keep Hot Springs special. We want to promote a built environment that reflects Hot Springs, its unique landscape and culture by providing better housing choices and urban design, by preserving and promoting character, by protecting historical assets, by providing walkable streets and adequate parking, and through equitable access to common goods and services.

- Unity Coalition of Garland County delays community event due to COVID-19
  - The Police and Sheriff’s departments have been coming together each Monday with the NAACP, the Stop the Violence group and numerous churches for what is being called the Unity Coalition of Garland County. The Coalition had been

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discussing plans for a community event to be held in mid-July, but after requesting input from Garland County Health Officer Dr. Gene Shelby, the group decided to postpone the event.
  o They plan to start community-building activities on Facebook soon.

- Christmas Light Display
  o Cole McCaskill - President of the Downtown Association of Hot Springs said they’ve approved a 5 year partnership with the City of Hot Springs for the maintenance and continued growth of the City’s annual Christmas light displays with the proceeds from the annual chili cook off.

- Majestic Property RFP
  o The Majestic Property RFP opens this Friday and staff is looking forward to the opening and beginning that process.

F. BOARD OF DIRECTORS ANNOUNCEMENTS REGARDING UPCOMING EVENTS

- Director Garcia announced that there will be free COVID-19 testing with Healthy Connections administering the tests between 9 am - 2 pm at the Center at Forest Lakes 305 Forest Lakes Blvd.

CONSENT AGENDA SECTION
A Motion to Approve the Consent Agenda

A motion was made by Director Weatherford, duly seconded by Director Garcia that the Consent Agenda be approved.

Roll Call: Upon roll call, the following voted "aye", Directors Holliday, Jones, Clark, Weatherford, Garcia, Fale and McCabe, total 7. Voting "no", none, total 0. Motion carried 7-0.

1. **Consider Resolution R-20-91** A Resolution Awarding A Bid To Diamond Construction Company, Inc. For The Relocation Of City Utilities As Part Of Arkansas Department Of Transportation Project No. 061309. ($63,500.00)

2. **Consider Resolution R-20-92** A Resolution Approving A Master Services Agreement For Wastewater Services Between Crist Engineers, Inc. And The City Of Hot Springs, Arkansas.

3. **Consider Resolution R-20-93** A Resolution Awarding A Bid To Coakley Company, Inc. For The Relocation Of City Utilities As Part Of Arkansas Department Of Transportation Project No. CA0607. (total bid award $2,023,376.00)

4. **Consider Resolution R-20-94** A Resolution Setting A Time And Date For A Hearing To Abandon And Close Cellabrate Street Located Along Block 1 Of The Norton Addition Subdivision In Garland County, Arkansas, And For Other Purposes.

5. **Consider Resolution R-20-95** A Resolution Awarding A Bid To Central States

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Bus Sales, Inc. For The Purchase Of Two Medium-Duty Low-Floor Cutaway Transit Buses And Approving Certain Budget Adjustments Related Thereto. ($364,704 total; $182,352/each).

6. **Consider Resolution R-20-96** A Resolution Approving A Contract With Resort Television Cable Company, Inc. For Certain Dark Fiber Services And Equipment. ($34,560 annually for 5 years)

**PUBLIC HEARING**

Public Hearing to Abandon And Close A Portion Of Romer Alley At Block 77 Of Hot Springs Reservation.

- Mayor Pat McCabe opened the meeting at 7:24 p.m. calling for public comments.
- Anthony Taylor spoke on behalf of the applicant explaining their position for the request.
- Mayor Pat McCabe closed the meeting at 7:26 p.m.

**NEW BUSINESS**

1. **Consider Resolution R-20-97**

A Resolution Expressing Support for the Passage of Legislation Imposing Enhanced Sentencing for Convictions of Misdemeanors and Felonies Associated with Crimes Committed Against Victims with Actual or Perceived Characteristics (Hate Crimes); And For Other Purposes.

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

**Discussion:** Director Holliday, Director Fale, Brian Albright - City Attorney

**Speaker:** none

**Staff:** Brian Albright - City Attorney

**Motion to Amend:** Director Holliday made a motion to amend, duly seconded by Director Jones to change the word "gender" to "sex, which includes gender and gender identity". Upon voice vote, the motion carried 7-0.

**Motion to Accept as Amended:** Director Weatherford made a motion to adopt as amended, duly seconded by Director Holliday.

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

2. **Consider Ordinance O-20-33**

**A Motion to Suspend Rules and Read by Title Only:** A motion was made by
Director Garcia, duly seconded by Director 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 By The City Of Hot Springs, Arkansas Regarding The Use Of Masks In Relation To The Covid-19 Pandemic," 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 Jones and duly seconded by Director Clark.

**Discussion**: Directors Holliday, Jones, Clark, Weatherford, Garcia and Fale. Mayor Pat McCabe

**Speaker**: Pam DeYoung - against; Melisa Glen - for

**Staff**: Brian Albright - City Attorney

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

**Emergency Clause**: City Attorney Brian Albright then read the Emergency Clause. Upon completion Director Jones made a motion, duly seconded by Director Clark to approve the Emergency Clause. Upon voice vote, the following voted "aye", Directors Holliday, Jones, Clark, Weatherford, Garcia, Fale and McCabe, total 7. Voting "no", none, total 0. Motion passed 7-0.

3. **Consider Ordinance O-20-31**

**A Motion to Suspend Rules and Read by Title Only**: A motion was made by Director Fale, duly seconded by Director Weatherford, 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 Vacating A Portion Of A Certain City Right-Of-Way Located Along Romer Alley At Block 77 Of Hot Springs Reservation; 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 Weatherford and duly seconded by Director Jones.

**Discussion**: none

**Speaker**: none

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

4. Consider Ordinance O-20-32

A Motion to Suspend Rules and Read by Title Only: A motion was made by Director Clark, duly seconded by Director Weatherford, 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 Adopting The Hot Springs Animal Control Code; Amending and Repealing Certain Ordinances; And For Other Purposes," was taken from the agenda and read by title only (City Attorney).

A Motion to Adopt as Read: Thereafter, a motion to adopt as read was made by Director Fale and duly seconded by Director Weatherford.

Discussion: none
Speaker: none
Staff: Brian Albright - City Attorney

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

BOARD COMMENTARY (NO ACTION)

G. BOARD COMMENTARY
   • Director Holliday thanked everyone who came out for the Pride March.
   • Director Fale announced that he will not be seeking another term on the Board

H. ADJOURNMENT
   There being no further business to come before the Board, a motion was made by Director Jones, duly seconded by Director Weatherford, that the meeting be adjourned; and upon voice vote, the motion was unanimously carried 7-0. The meeting adjourned at 8:26 p.m. to meet again on Tuesday, July 21, 2020 at 7:00 p.m.

PUBLIC COMMENTARY
   • David Sydnor - spoke regarding an issue with a transportation permit he is trying to acquire
• Bill Burrough - City Manager has received and read numerous emails regarding the Wayward Winds

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DATE:

Harmony Morrissey, City Clerk

Pat McCabe, Mayor