

February 5, 2007

MINUTES

The Pine Bluff City Council met for a regular meeting at 5:30 p.m. February 5, 2007 in the Council Chambers of City Hall.

Mayor Redus called the meeting to order.

The Invocation was given by Rev. Chris Mack, Highland Missionary Baptist Church.

The Pledge of Allegiance was led by Mayor Redus.

Roll Call – Answering present were Alderwoman Holcomb, Aldermen Brumett, Smith, Easterly, Alderwoman Roberts, Alderman Stepps, Alderwoman Walker and Alderman Boyd.

Approval of Minutes – Alderman Brumett moved for approval of the minutes from the January 16, 2007 meeting, seconded by Alderwoman Roberts and the motion carried 8-0.

Alderwoman Holcomb Chairperson of the Ordinances and Resolutions Committee reported; the committee met prior to the Pine Bluff City Council meeting and recommended taking the following actions on the agenda:

Item No. 1 up for the 1st reading but will be read for the 3rd time.

Item No. 2 up for the 1st reading

Item No. 3 up for the 1st reading but will be read for the 3rd time.

Item No. 4 up for the 1st reading

Item No. 5 up for the 1st reading

Items No. 6 thru 8 will be completed.

Alderwoman Holcomb stated we have two pieces of legislation to add to the agenda the first one will be Resolution #9 a Resolution appropriating funds to the Parks and Recreation Commission to purchase a tractor. Alderwoman Holcomb moved to add the Resolution to the agenda, seconded by Alderman Smith and after a roll call the vote was 7 yes and 1 no, with Alderwoman Walker voting no. Alderwoman Holcomb stated this item will not go on the agenda tonight because it takes unanimous consent to do so.

Alderwoman Holcomb stated we have an ordinance amending ordinance #3402 to change the deadline for filing with the City Clerk Annual Financial Audit due from the Aviation Commission, and it was brought in by Alderman Charles Boyd. Alderman Boyd stated he was not able to get the Ordinance turned in on time. Assistant City Attorney Joe Childers stated what we did, at the last meeting, was to allow for this

particular year, you extend the deadline and this would actually extend the deadline for the following years. Alderman Brumett stated so that could be brought up at a later date without any problems. Joe Childers stated that is correct, there should not be a problem bringing this at a later date and Alderman Boyd stated that presenting it at a later date would be fine.

Alderwoman Holcomb stated we need unanimous consent to add, well actually we made the attachment on 3, 3-A. Alderwoman Holcomb moved to add this item to the agenda, seconded by Alderman Brumett and after a roll call the vote was 8-0.

Alderman Brumett, Chairperson of the Ways & Means Committee reported; the committee met and we discussed the short term financing obligation on 3 and 3-A, we looked at various alternatives and made the recommendation to the council that we approve the financing agreement with Simmons which is 3 and 3-A, we recommended a due pass.

Alderman Brumett stated we have several budget adjustments that the committee have reviewed and recommend to the council. These are transferring of funds between line items. The first one is an adjustment requested for \$15,000 in the General Fund; it's a transfer of funds from Court 2 Operating Fund to provide for court clerks in the (2007 budget). The department is District Court Division 2, there is an attachment

explaining the use of the money, the account is #4001, \$15,000.00 for salaries and the method of financing is none is required, this is just a transfer within their department. Alderman Brumett moved to accept the budget adjustment, seconded by Alderwoman Holcomb and after a roll call the motion carried 7-1 with Alderman Stepps voting no.

Alderman Brumett stated the next one is \$15,000.00 in the Administration Justice Fund. The first one actually put the money in this fund and now we're going to transfer those funds from the Administration of Justice Fund to Court Clerk for the 2007 budget, so they will be able to disburse the money to the employee that this effects and that's in account #4106. Alderman Brumett moved to accept the budget adjustment, seconded by Alderman Easterly and the motion carried 7-1

Alderman Brumett stated the next one is an adjustment requesting \$13,832.00 in the General Fund, this is a transfer of funds from Administration of Justice Fund to provide for sick/vacation for Nita Grady, this is out of District Court I, and the total is \$13,832.00. Alderman Brumett moved to accept the budget adjustment upon confirmation by the Finance Department, seconded by Alderman Easterly and the motion carried 8-0.

Alderman Brumett stated the next one is from the Finance Department, adjustment requested is \$13,832.00 in the Administration of Justice Fund, transfer the funds from Administration of Justice Funds to provide for sick/vacation for an employee this is in District Court, Division, the total is \$13,832.00. Alderman Brumett moved to accept the budget adjustment, seconded by Alderman Easterly and the motion carried 8-0.

Alderman Brumett stated the next one is \$5,000.00 in the General Fund, transfer funds from the Administration of Justice Fund to provide for overtime to reduce backlog of warrants, this is for District Court Division I and it is referred to in the letter attached. These are for overtime expenses the court will incur in process a backlog of warrants they have on the books. Alderman Brumett moved to accept the budget adjustment, seconded by Alderman Easterly and the motion carried 8-0.

Alderman Brumett stated the next one is an adjustment for \$5,000.00 in the Administration of Justice Fund, transfer the funds from Administration of Justice Funds to provide for the overtime to reduce backlog of warrants again this allows the internal transfer to account #4106, Alderman Brumett moved to accept the budget adjustment, seconded by Alderman Easterly and the motion carried 8-0.

Alderman Brumett stated the next one is an adjustment for \$18,518 in the General Fund again this is to move money between line items there is a letter attached from the Arkansas District Judges Retirement System again this is a house keeping issue that we need to take care of to make the payment necessary to the retirement system for the judge in district court division I. The account #4007 \$18,518.00, the request is that \$12,000.00 of this come from the Administration of Justice Funds account #3550, the balance of \$6,518.00 for this request would come from undesignated funds balance. Alderman Brumett moved to accept the budget adjustment, seconded by Alderman Easterly. During questioning it was requested that the Finance Director, Steven Miller contact Judge Bridgforth to reimburse the city \$6,518.00 from the Administration Justice Fund. Mr. Miller stated he would make contact with Judge Bridgforth on this issue and the motion carried 8-0.

Alderman Brumett stated the next one is an adjustment for \$24,000.00 in the General Fund to move amounts between line items this is from the Executive Department, you have an attachment. This is the result of the general election held 11/7/06 the city's portion of the expense involved with the election is \$24,685.12 and they are asking for a \$24,000.00 adjustment from the undesignated general fund balance to

cover the expense. Alderman Brumett moved to accept this budget adjustment, seconded by Alderwoman Roberts and the motion carried 8-0.

Alderman Brumett stated the next one is an adjustment for \$110,200.00 reason required is for the ADSI financing payments commencing on April 1, 2007 this is for the computer, hardware, and software required for their new system for Public Safety it's to be funded through Account #3400 for \$35,000.00 district Court 2 time pay, Account #3400 for \$75,200.00 District Court 1 time pay, Account #4104 for \$29,170.59 Data Processing Fire Department and Account 4104 for \$81,029.41 Data Processing Police Department. This is to fund the Simmons First National Bank 60 month loan agreement at 4.5% and this is in our packet to be considered tonight as item number three. Alderman Brumett moved to approve the adjustment of \$110,200.00 based on the approval of item number 3 and 3-A on the agenda tonight, seconded by Alderman Smith and the motion 8-0.

Alderman Brumett stated the final adjustment tonight is \$657,649.00 in the Street Fund this is carryover funds from 2006 distribution to 2007 budget. This represents the carryover funds from 2006 and we will actually spend in 2007 budget; \$ 10,000.00 Repairs & Maint – Building

20,000.00 Street Lights

10,000.00 Traffic Signals

464,149.00 Overlays of Streets

3,500.00 Capital Purchases

50,000.00 Building Fund

\$ 100,000.00 Street Fund Reserve Beginning

Balance for a Total of \$ 657,649.00.

Alderman Brumett moved for approval of the budget adjustment, seconded by Alderman Easterly and after lengthy discussion the motion carried 8-0.

Alderman Brumett moved to pay the bills owed by the city, seconded by Alderwoman Holcomb and the motion carried 8-0.

City Attorney, Carol Billings requested that the council hear from Attorney Keith Wren with Municipal League before going on to the next committee report.

Keith Wren with Municipal League was allowed to speak in reference to a lawsuit with Denise Richardson vs. the City of Pine Bluff. Discussed was the tentative settlement agreement which was that she be promoted to Lieutenant and paid \$27,500.00. Alderwoman Holcomb moved to accept the offer, seconded by Alderman Brumett and after a roll call the vote was 8-0. Alderman Brumett moved to pay the city's portion

of the settlement, 50% which would be \$13,750.00 seconded by Alderwoman Roberts and the motion carried 8-0.

Alderwoman Holcomb, Chairperson of the Public Safety Committee reported; that wasn't the only thing that we needed to vote on. One thing was dialogue in reference to a Public Safety Tax, the Jerry Lambert vs. the City of Pine Bluff and it is under advisement. Chief Howell expressed the fact he is in need of more police officers.

Alderwoman Roberts, Chairperson of Community Development Committee reported; no report.

Alderwoman Walker, Chairman of Public Health & Welfare Committee reported; no report however Mr. Wayne Rathbun, Senior District Manager of Waste Management was allowed the opportunity to speak on the issue of trash and yard waste.

Alderman Smith, Chairperson for Public Works Committee reported; no report

Alderman Stepps, Chairman of Development and Planning Committee reported; no report but stated the committee will meet February 16, 2007 at 10:00 a.m.

Alderman Boyd Chairman of the Traffic and Aviation Committee reported; no report but stated the committee will meet on February 15, 2007 at 10:00 a.m.

Alderman Easterly, Chairman of Administration Committee reported; no report

The Mayor presented a proclamation to members of the SAGE Club.

The Mayor gave the State of the City Address.

(1) AN ORDINANCE ESTABLISHING A FOUR-WAY STOP AT THE INTERSECTION OF EIGHTH AVENUE & LINDEN STREETS IN THE CITY OF PINE BLUFF, ARKANSAS (up for the 1st reading) was read by the City Attorney. Alderwoman Holcomb moved to suspend the rule and place ordinance on second reading, seconded by Alderman Brumett and after a roll call the vote was 8-0. Alderwoman Holcomb moved to further suspend the rule and place ordinance on 3rd and final reading, seconded by Alderman Brumett, and after a roll call the vote was 8-0. Alderwoman Holcomb moved for adoption, seconded by Alderman Brumett and the motion carried 8-0.

(2) AN ORDINANCE AMENDING SECTION 2-181 OF THE CODE OF ORDINANCES OF THE CITY OF PINE BLUFF, ARKANSAS,

REGARDING SERVICE ON BOARDS AND COMMISSIONERS (up for the 1st reading) was read by the City Attorney and placed on the calendar.

(3) AN ORDINANCE WAIVING COMPETITIVE BIDDING AND AUTHORIZING NEGOTIATION OF A SHORT-TERM FINANCING OBLIGATION IN THE PRINCIPAL AMOUNT OF \$656,870.32 WITH SIMMONS FIRST NATIONAL BANK AND TRUST COMPANY TO FINANCE NEEDED TECHNOLOGY UPGRADES BY THE PINE BLUFF POLICE DEPARTMENT (up for the 1st reading) was read by the City Attorney. Alderwoman Holcomb moved to suspend the rule and place the ordinance on second reading, seconded by Alderman Brumett and after a roll call the vote was 8-0. Alderwoman Holcomb moved to further suspend the rule and place ordinance on 3rd and final reading, seconded by Alderman Brumett and after a roll call the vote was 8-0. Alderwoman Holcomb moved for adoption, seconded by Alderman Brumett and the motion carried 8-0. Alderwoman Holcomb moved for adoption of the emergency clause, seconded by Alderman Brumett and after a roll call the vote was 8-0.

(3-A) AN ORDINANCE AUTHORIZING THE ISSUANCE OF A SHORT TERM FINANCING OBLIGATION TO SIMMONS FIRST NATIONAL BANK; AUTHORIZING THE USE OF THE PROCEEDS

OF SUCH OBLIGATION FOR THE PURPOSE OF ACQUIRING TANGIBLE PERSONAL PROPERTY AND INSTALLING SAME, AUTHORIZING THE EXECUTION OF A PROMISSORY NOTE IN CONNECTION THEREWITH; AUTHORIZING AND PRESCRIBING OTHER MATTERS PERTAINING THERETO; AND DECLARING AN EMERGENCY (up for the 1st reading) was read by the City Attorney. Alderwoman Holcomb moved to suspend the rule and place ordinance on second reading, seconded by Alderman Smith and after a roll call the vote was 8-0. Alderwoman Holcomb moved to further suspend the rule and place ordinance on 3rd and final reading, seconded by Alderman Smith and after a roll call the vote was 8-0. Alderwoman Holcomb moved for adoption, seconded by Alderman Brumett and the motion carried 8-0. Alderwoman Holcomb moved for adoption of the emergency clause, seconded by Alderman Brumett and after a roll call the vote was 8-0.

(4) AN ORDINANCE AMENDING ORDINANCE NO. 4800 AND PROVIDING FOR SINGLE ANNUAL REMITTANCE OF THE OCCUPATION TAX FROM CENTERPOINT ENTERGY, RESOURCES CORPORATION, D/B/A/ CENTERPOINT ENERGY ARKANSAS GAS, TO THE CITY OF PINE BLUFF, ARKANSAS AND DECLARING AN EMERGENCY (up for the 1st reading) was read by the City Attorney.

Alderwoman Holcomb moved to suspend the rule and place ordinance on second reading, seconded by Alderman Stepps and after a roll call the vote was 8-0. Alderwoman Holcomb moved to further suspend the rule and place ordinance on 3rd and final reading, seconded by Alderman Stepps and after a roll call the vote was 8-0. Alderwoman Holcomb moved for adoption, seconded by Alderman Easterly and the motion carried 8-0. Alderwoman Holcomb moved for adoption of the emergency clause, seconded by Alderman Easterly and after a roll call the vote was 8-0.

(5) AN ORDINANCE PROVIDING FOR THE REZONING OF CERTAIN TERRITORY IN THE CITY OF PINE BLUFF, ARKANSAS (800 Walnut Street) (up for the 1st reading) was read by the City Attorney and placed on the calendar. It was recommended this ordinance be referred back to committee.

(6) A RESOLUTION COMMENDING TO THE GOVERNOR OF THE STATE OF ARKANSAS THE APPOINTMENT OF JANICE L. ROBERTS TO ANY VACANCY ON CERTAIN STATE COMMISSIONS was heard, Alderwoman Holcomb moved for adoption, seconded by Alderman Brumett and the motion carried 8-0.

(7) A RESOLUTION EXPRESSING THE OPPOSITION OF THE CITY OF PINE BLUFF TO THE REQUEST FOR RATE INCREASE

SUBMITTED BY UNITED WATER OF ARKANSAS NOW PENDING BEFORE THE ARKANSAS PUBLIC SERVICE COMMISSION was heard, Alderwoman Holcomb moved for adoption, seconded by Alderman Stepps and after a roll call the vote was 4 yes, 3 no and 1 abstained. Voting yes was, Alderwoman Holcomb, Alderman Stepps, Alderwoman Walker and Alderman Boyd. Voting no were Aldermen Brumett, Smith, and Easterly. Alderwoman Roberts abstained.

(8) A RESOLUTION ESTABLISHING A FULL-TIME POSITION OF DEPUTY COLLECTOR IN THE COLLECTION DEPARTMENT AND RELATED PURPOSES was heard, Alderwoman Holcomb moved for adoption, seconded by Alderwoman Roberts and the motion carried 8-0.

Announcements

Mayor Redus announced the character trait for the month of February is Flexibility.

Alderman Brumett moved to adjourn the meeting, seconded by Alderman Smith and the motion carried 8-0.

Meeting adjourned

No further business

All other comments