**MINUTES**

The Pine Bluff City Council met for a regular meeting at 5:30 p.m. September 21, 2009 in the Council Chambers of City Hall.

Mayor Redus called the meeting to order.

**The Invocation** was given by Rev. Robert Key

**The Pledge of Allegiance** was led by Mayor Redus.

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

**Approval of Minutes** – Alderman Stepps moved for approval of the minutes from September 8th and September 14, 2009 meeting, seconded by Alderwoman Roberts and the motion carried 6-0.

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:

Items No. 1 and 2 up for the 3rd and final reading

Item No. 3 up for the 2nd reading but will be completed

Item No. 4 up for the 2nd reading

Item No. 5 up for the 1st reading

Item No. 6 up for the 1st reading but will be completed

Items No. 7 thru 18 will be heard and completed

**ADD TO AGENDA** Alderwoman Holcomb stated we have 2 items to add to the agenda and the first one is;

"AN ORDINANCE PROVIDING FOR THE ISSUANCE OF NOT TO EXCEED $6,000,000 PRINCIPAL AMOUNT OF FRANCHISE FEE REVENUE REFUNDING AND ACQUISITION BONDS, SERIES 2009; AUTHORIZING THE EXECUTION AND DELIVERY OF A TRUST INDENTURE, A BOND PURCHASE AGREEMENT, AND A TAX COMPLIANCE AGREEMENT IN CONNECTION THEREWITH; PLEDGING CERTAIN FRANCHISE FEES TO THE PAYMENT OF SUCH BONDS; DECLARING AN EMERGENCY AND PROVIDING FOR CERTAIN OTHER MATTERS RELATING THERETO." Alderwoman Holcomb moved to add this item to tonight's agenda and it will be 2-A, seconded by Alderman Brumett and after a roll call the vote was 6-0.

Alderwoman Holcomb stated the other item that needs to be added is "A RESOLUTION AMENDING RESOLUTION NO. 2933 TO DELETE A PROPERTY DECLARED TO BE A NUISANCE". Alderwoman

Holcomb moved to add this item on tonight's agenda and it will be No. 19, seconded by Alderman Stepps and after a roll call the vote was 6-0.

There was a discussion as to whether or not the ordinances and resolutions should be read in their entirety or just the titles. After the discussion Alderman Brumett moved to read title only on item 2-A, seconded by Alderman Stepps and the motion carried 6-0.

Alderman Brumett, Chairman of the Ways & Means Committee reported: the committee met today at 5:00 p.m. and we have two budget adjustments to consider. The first one is from the Street Department for $3,044.61. The reason required is for contribution in aid of construction of street light at intersection of Olive and Old Main Streets per agreement with Entergy Arkansas. There's no impact on the general fund because the amount will come from the salaries account within the department. Alderman Brumett moved for approval, seconded by Alderman Stepps and the motion carried 6-0.

The next budget adjustment is from the City Collector's Department for $1,600.00. The reason required is for additional funding requested to replace storage units used to house court contracts and publishing expense exhausted by bid notices for cellular phone contract. There will be no impact to the general fund because that amount will be taken from the salaries account within the department. Alderman Brumett moved for

approval of the budget adjustment, seconded by Alderman Stepps and the motion carried 6-0.

Alderman Brumett moved to **pay the bills** owed by the city, seconded by Alderwoman Roberts and the motion carried 6-0.

Alderwoman Roberts, Chairperson of Economic & Community Development Committee reported: we have one item that's before us and it's available to the public. This is the City of Pine Bluff Project list as of September 21, 2009, and this project refers to the stimulus funding and request that have gone forth. Mr. Donald Sampson was asked to speak on the conference he and Mayor Redus attended this past week.

Alderman Boyd, Chairman of Public Health & Welfare Committee reported: no report.

Alderwoman Walker, Chairperson for Public Works Committee reported: no report.

Alderman Stepps, Chairman of Development and Planning Committee reported: the committee met on 9/16/09 at 4:00 p.m. in the Mayor's Conference Room and we discussed resolution No. 19. We also discussed the Storm Water Ordinance and Alan Skinner wanted to meet with the Mayor before anything is presented to the full body.

Alderman Brown, Chairman of the Traffic and Aviation Committee, was absent and Alderman Boyd reported: no report.

Alderman Easterly, Chairman of the Administration Committee was absent and Alderwoman Holcomb reported: the committee met on 9/18/2009 at 11:00 a.m. and what we recommended from that committee meeting was a do pass on item 2-A, the bond issue was discussed.

Alderwoman Holcomb, Chairperson of the Public Safety Committee reported: no report. The committee will meet at 4:00 p.m. on October 5, 2009.

Alderwoman Roberts stated Mr. George Mitchell, appointed to the Civil Service Commission, was sworn in on 9/18/09.

(1) AN ORDINANCE AMENDING SECTION 5-55 OF THE CODE OF ORDINANCE OF THE CITY OF PINE BLUFF, ARKANSAS, RESPECTING ENFORCEMENT OF ANIMAL CONTROL REGULATIONS (up for the 3rd and final reading) was heard. Alderwoman Holcomb moved for adoption, seconded by Alderman Stepps and the motion carried 6-0.

(2) AN ORDINANCE AMENDING CHAPTER 29 OF THE CODE OF ORDINANCES OF THE CITY OF PINE BLUFF, ARKANSAS, CONCERNING AUTOMOBILE SALVAGE YARDS, DECLARING SUCH YARDS NOT IN COMPLIANCE WITH THE CITY CODE TO BE PUBLIC NUISANCES; PROVIDING FOR INCREASED PENALTIES

FOR SALVAGE YARDS FOUND IN VIOLATION OF CITY CODES; FOR RELATED PURPOSES; AND DECLARING AN EMERGENCY (up for the 3rd and final reading) was read by the City Attorney. Alderwoman Holcomb moved for adoption, seconded by Alderwoman Roberts. There was very lengthy discussion on this issue. City Attorney, Billings stated this would have to be referred back to the council by the Planning Commission by ordinance, but they haven't done that yet and if voted on tonight it wouldn't be legal. After further discussion, Alderwoman Roberts called for the vote and Mayor Redus stated he was not carrying the motion.

**(2-A)** AN ORDINANCE PROVIDING FOR THE ISSUANCE OF NOT TO EXCEED $6,000,000.00 PRINCIPAL AMOUNT OF FRANCHISE FEE REVENUE REFUNDING AND ACQUISITION BONDS, SERIES 2009; AUTHORIZING THE EXECUTION AND DELIVERY OF A TRUST INDENTURE, A BOND PURCHASE AGREEMENT, AND A TAX COMPLIANCE AGREEMENT IN CONNECTION THEREWITH PLEDGING CERTAIN FRANCHISE FEES TO THE PAYMENT OF SUCH BONDS; DECLARING AN EMERGENCY AND PROVIDING FOR CERTAIN OTHER MATTERS RELATING THERETO (up for the

1st reading) was read by the City Attorney. Alderwoman Holcomb moved to suspend the rule and place the ordinance on 2nd reading, seconded by Alderman Brumett and after a roll call the vote was 6-0. Alderwoman Holcomb moved to further suspend the rule and place the ordinance on the 3rd and final reading, seconded by Alderman Brumett and after a roll call the vote was 6-0. Alderwoman Holcomb moved for adoption, seconded by Alderman Brumett and the motion carried 6-0. Alderwoman Holcomb moved for adoption of the emergency clause, seconded by Alderman Brumett and after a roll call the vote was 6-0.

(3) AN ORDINANCE AMENDING SECTION 1-8(C) OF THE CODE OF ORDINANCES OF THE CITY OF PINE BLUFF, ARKANSAS, TO INCREASE THE MAXIMUM FINES FOR VIOLATION OF A MUNICIPAL ORDINANCE (up for the 2nd reading) was read by the City Attorney. Alderwoman Holcomb moved to suspend the rule and place the ordinance on 3rd and final reading, seconded by Alderman Boyd and after a roll call the vote was 5-1 with Alderwoman Roberts voting no. Alderwoman Holcomb moved for adoption, seconded by Alderman Stepps and the motion carried 5-1 with Alderwoman Roberts voting no.

(4) AN ORDINANCE AMENDING THE POLICIES, PROCEDURES, AND GUIDELINES MANUAL OF THE PINE BLUFF FIRE DEPARTMENT (up for the 2nd reading) was read by the City Attorney and placed on the calendar.

(5) AN ORDINANCE AMENDING SECTION 203 OF THE NON-UNIFORMED EMPLOYEES HANDBOOK OF THE CITY OF PINE BLUFF, ARKANSAS (up for the 1st reading) was read by the City Attorney and placed on the calendar.

(6) AN ORDINANCE TO WAIVE COMPETITIVE BIDDING AND AUTHORIZING THE MAYOR AND CHIEF OF POLICE TO ACQUIRE POLICE UNITS, 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 2nd reading, seconded by Alderman Stepps and after a roll call the vote was 6-0. Alderwoman Holcomb moved to suspend the rule and placed the ordinance on 3rd and final reading, seconded by Alderman Stepps and after a roll call the vote was 6-0. Alderwoman Holcomb moved for adoption, seconded by Alderman Stepps and the motion carried 6-0. Alderwoman Holcomb moved for adoption of the emergency

clause, seconded by Alderman Stepps and after a roll call the vote was 6-0.

(7) A RESOLUTION APPROVING THE APPOINTMENT OF A DEPUTY COURT CLERK CASE COORDINATOR IN DIVISION II OF THE PINE BLUFF DISTRICT COURT was heard. Alderwoman Holcomb moved for adoption, seconded by Alderman Stepps and the motion carried 6-0.

(8) A RESOLUTION SETTING THE MILLAGE FOR THE FIREMEN'S RELIEF AND PENSION FUND FOR THE CITY OF PINE BLUFF, ARKANSAS was heard. Alderwoman Holcomb moved for adoption, seconded by Alderman Brumett and the motion carried 6-0.

(9) A RESOLUTION SETTING THE MILLAGE FOR GENERAL PURPOSES AS AUTHORIZED AND PRESCRIBED BY LAW was heard. Alderman Brumett moved for adoption, seconded by Alderman Stepps and the motion carried 6-0.

(10) A RESOLUTION SETTING THE MILLAGE FOR THE OPERATION AND MAINTENANCE OF THE PINE BLUFF PUBLIC LIBRARY was heard. Alderman Brumett moved for adoption, seconded by Alderman Stepps and the motion carried 6-0.

(11) A RESOLUTION SETTING THE MILLAGE FOR THE POLICEMEN'S RELIEF AND PENSION FUND FOR THE CITY OF PINE BLUFF, ARKANSAS was heard. Alderman Brumett moved for adoption, seconded by Alderman Stepps and the motion carried 6-0.

(12) A RESOLUTION COMMENDING CHARLES J. FAILLA III FOR SERVICE TO THE COMMUNITY AS A MEMBER OF THE PINE BLUFF CIVIL SERVICE COMMISSION was heard. Alderwoman Holcomb moved for adoption, seconded by Alderman Brumett and the motion carried 6-0.

(13) A RESOLUTION AUTHORIZING THE EXTENSION OF AN AGREEMENT BETWEEN THE CITY OF PINE BLUFF AND THE UNIVERSITY OF ARKANSAS COOPERATIVE EXTENSION PROGRAM TO ASSIST THE CITY IN IMPLEMENTING FEDERAL STORM WATER REGULATIONS was heard. Alderwoman Holcomb moved for adoption, seconded by Alderman Stepps and the motion carried 6-0.

(14) A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE AN AGREEMENT WITH NEW WORLD SYSTEMS was heard. Alderwoman Holcomb moved

for adoption, seconded by Alderman Stepps and the motion carried 6-0.

(15) A RESOLUTION DIRECTING THE POLICE DEPARTMENT TO SUSPEND FROM ITS LIST OF ELIGIBLE TOWING SERVICES SMITH WRECKING COMPANY UNTIL THE COMPANY IS IN FULL COMPLIANCE WITH CITY CODE REGARDING ITS OPERATIONS, AND PROVIDING FOR THE SUSPENSION OF OTHER TOWING SERVICES SIMILARLY SITUATED was heard. Alderwoman Holcomb moved for adoption, seconded by Alderwoman Walker. After lengthy discussion Alderwoman Walker stated she would pull the resolution, get with the City Attorney on this issue and bring it back for the next council meeting.

(16) A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO CONTRACT WITH DELL FOR ACQUISITION OF TECHNOLOGY HARDWARE, SOFTWARE AND RELATED ITEMS was heard. Alderwoman Holcomb moved for adoption, seconded by Alderman Stepps and the motion carried 6-0.

(17) A RESOLUTION AUTHORIZING INTER-LOCAL AGREEMENT BETWEEN THE CITY OF BROWNSVILLE,

TEXAS AND THE CITY OF PINE BLUFF, ARKANSAS was heard. Alderwoman Holcomb moved for adoption, seconded by Alderman Stepps and the motion carried 6-0.

(18) A RESOLUTION DECLARING CERTAIN HOUSES, BUILDINGS AND/OR STRUCTURES AS NUISANCES AND ORDERING THEIR ABATEMENT was heard. Alderman Brumett moved for adoption, seconded by Alderman Stepps. During discussion Alderman Stepps moved for an amendment, and stated there is a list of 3 properties to be removed from the resolution and you all have a copy of that list in front of you, seconded by Alderman Brumett the motion carried 6-0. Alderwoman Holcomb moved for the original as amended, seconded by Alderman Brumett and the motion carried 6-0.

(19) A RESOLUTION AMENDING RESOLUTION NO. 2933 TO DELETE A PROPERTY DECLARED TO BE A NUISANCE. Alderwoman Holcomb moved for adoption seconded by Alderman Stepps and the motion carried 6-0.

## Announcements

The following announcements were made:

Monday, September 28th is CASA Family Day a day to eat dinner with your children. This national initiative reminds parents that what your kids really want at the dinner table is YOU!

On September 26th the University of Arkansas at Pine Bluff will take on the Alabama A & M Bulldogs at Louis Crew Stadium in Huntsville, AL and the kick off time is 3:00 p.m.

On September 28th the annual Southeast Arkansas District Livestock Show, Fair & Rodeo Parade in downtown Pine Bluff begins at 4:45 p.m. For additional information, contact Dale Dixon at 541-0395

September 28th thru October 3rd the 70th Annual Southeast Arkansas District Livestock show takes place at Hestand Stadium, 420 North Blake Street. For more information call 535-2900.

The Pine Bluff Fire Department is hosting the 2nd Annual Fire & Life Safety Day on October 2, 2009 from 10:00 a.m. until 2:00 p.m. at Saracen Landing.

The Junior League of Pine Bluff presents the 3rd Annual Chili Cook-Off, Saturday, September 26th from 6:00 p.m. until 11:00 p.m. at Saracen Landing, admission is $10. If you're interested in showing off your cooking skills call 692-8473.

UAPB Athletic Department will have a Business After Hour, and the Chamber of Commerce, Thursday September 24th from 5:00 p.m. until 6:30 p.m. in the Lion's Den at the Golden Lions Stadium.

October 16, 2009 NAACP will host the 18th Annual Dove Freedom Fund Banquet at the Pine Bluff Convention Center and the guest speaker will be Honorable James A. Jones of Philadelphia Mississippi and the tickets are $40.00 each.

Alderman Brumett moved to adjourn the meeting, seconded by Alderman Boyd and the motion carried 6-0.

Meeting adjourned

No further business

All other comments