

MINUTES

The Pine Bluff City Council met for a regular meeting at 5:30 p.m. November 16, 2009 in the Council Chambers of City Hall.

Mayor Redus called the meeting to order.

The Invocation was given by Rev. Charles Boyd, pastor of the First Missionary Baptist Church.

The Pledge of Allegiance was led by Mayor Redus.

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

Approval of Minutes – Alderman Brown moved for approval of the minutes from the November 2, 2009 meeting, seconded by Alderwoman Roberts and the motion carried 7-0.

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 & 2 up for the 3rd and final reading

Item No. 3 up for the 3rd and final reading has been pulled by the sponsor until the 2nd meeting in December.

Item No. 4 up for the 2nd reading

Item No. 5 up for the 1st reading

Item No. 6 & 7 up for the 1st reading but will be completed

Item No. 8 up for the 1st reading

Items No. 9 & 10 will be heard and completed.

ADD TO AGENDA Alderman Holcomb stated we have one item to add to the agenda that was recommended by the committee and it takes unanimous consent to be placed on the agenda tonight. It is “A RESOLUTION APPROPRIATING THE SUM OF \$30,000.00 FROM STATE TURNBACK FUNDS AND AUTHORIZING AGREEMENT WITH THE PINE BLUFF / JEFFERSON COUNTY BOYS AND GIRLS CLUB TO PROVIDE SERVICES FOR YOUTH”.

Alderman Holcomb moved to add this item on tonight's agenda, seconded by Alderman Roberts and after a roll call the vote was 7-0 and the Mayor voted no, objecting to adding the item to the agenda. After discussing with the City Attorney whether or not his vote counted on this issue; the City Attorney stated the mayor is part of the full council body and he can vote on this issue. Alderman Steps

stated he would recant his yes vote and voted no, and the motion carried 6-1. Alderwoman Holcomb stated this item will not go on tonight's agenda and it will be forwarded to the City Clerk's office to be placed on the agenda for the next city council meeting.

Alderman Brumett, Chairman of the Ways & Means Committee was absent and Alderwoman Roberts reported: the committee met this afternoon at 5:00 p.m. and we have (3) budget adjustments for consideration.

The first adjustment is for \$3,913.24 from the Executive Department. Reason required is to replace chairs for the City Council Chambers. Alderwoman Roberts moved for approval of the budget adjustment, seconded by Alderman Stepps and the motion carried 7-0.

The second adjustment is for \$245,941.00 from the Street Department. Reason required is to appropriate carryover funds from 2008 to street overlay projects. Alderwoman Roberts moved for approval of the budget adjustment, seconded by Alderwoman Holcomb and the motion carried 7-0.

The third adjustment is for \$16,000.00 from the Inspection & Zoning Department. Reason required is for additional funds required for State Construction Surcharge payments and funds for final grass & weed

contract work. Alderwoman Roberts moved for approval of the budget adjustment, seconded by Alderwoman Holcomb and the motion carried 7-0.

Alderwoman Roberts stated that the BKG audit report has been received and will be placed on file in the City Clerk's office and will be available for review.

Alderwoman Roberts moved to **pay the bills** owed by the city, seconded by Alderwoman Holcomb and the motion carried 7-0.

Alderwoman Roberts, Chairperson of Economic & Community Development Committee reported: the committee met November 10, 2009 at 716 Georgia Street with a lengthy agenda. The minutes are available for review but the major item that was covered was the review of the Economic and Community Development 2010 proposed budget. There were some adjustments and changes to the budget that are noted and the budget will be forwarded on to the full council for final review. A copy of the Economic and Community Development Committee minutes will be placed on file with the City Clerk's office.

Alderman Boyd, Chairman of Public Health & Welfare Committee reported: no report but the committee will have its budget hearing meeting November 19, 2009 at 11:30 a.m. in the Mayor's Conference Room. The

committee has recommended a do pass on the ordinance amending Waste Management Contract language which is item number 6 on tonight's agenda.

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

Alderman Stepps, Chairman of Development and Planning Committee reported: the committee met Thursday, November 12 with three items on the agenda. The first item dealt with Ordinance number 1 on tonight's agenda relating to mobile homes which comes before the full council without a recommendation. The committee requests full support of the council for Ordinance number 4 on the agenda.

Alderman Brown, Chairman of the Traffic and Aviation Committee reported: no report but there will be a budget meeting November 17, in the Mayor's conference room at 3:00 p.m.

Alderman Easterly, Chairman of the Administration Committee reported: no report

Alderwoman Holcomb, Chairperson of the Public Safety Committee reported: no report but the committee will meet November 19, 2009 at 10:00 a.m. for budget hearings.

Alderman Holcomb introduced Fire Chief Dannie Smith who

briefly addressed the council.

(1) AN ORDINANCE AMENDING THE REZONING CODE OF THE CITY OF PINE BLUFF, ARKANSAS (up for the 3rd and final reading) was read by the City Attorney. Alderman Holcomb moved for adoption seconded by Alderman Stepps and after a roll call the vote was 2 yes and 5 no. Voting no were Alderman Holcomb, Alderman Roberts, Alderman Walker, Alderman Boyd and Alderman Brown and the motion failed 2-5 for lack of support.

(2) AN ORDINANCE REPLACING SECTION 2-161 OF THE CODE OF ORDINANCES OF THE CITY OF PINE BLUFF, ARKANSAS (up for the 3rd and final reading) was read by the City Attorney. Alderman Holcomb moved for adoption seconded by Alderman Stepps. During discussion Alderman Walker moved for an amendment, stating paragraph (D) the word "Shall" should be replaced with "May", seconded by Alderman Roberts and the motion carried 7-0. Alderman Holcomb moved for the original as amended, seconded by Alderman Easterly and the motion carried 7-0.

(3) 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 CODE; FOR RELATED PURPOSES; AND DECLARING AN EMERGENCY (up for the 3rd and final reading) was pulled by the sponsor until the second council meeting in December.

(4) AN ORDINANCE ADOPTING THE NATIONAL ELECTRICAL CODE OF THE NATIONAL FIRE PROTECTION ASSOCIATION, 2008 EDITION, AND AMENDING SECTION 7-161 OF THE CODE OF ORDINANCES OF THE CITY OF PINE BLUFF, ARKANSAS (up for the 2nd reading) was read by the City Attorney and placed on the calendar.

(5) AN ORDINANCE AMENDING CHAPTER SEVEN OF THE CODE OF ORDINANCES OF THE CITY OF PINE BLUFF, ARKANSAS, BUILDINGS AND BUILDING REGULATIONS,

TO INCLUDE STATE MANDATED NON-RESIDENTIAL SURCHARGE AS REQUIRED BY A.C.A. 6-55-106; AND DECLARING AN EMERGENCY (up for the 1st reading) was read by the City Attorney and placed on the calendar.

- (6) AN ORDINANCE AMENDING WASTE MANAGEMENT CONTRACT LANGUAGE REGARDING "SELF HAULING" PENALTIES AND ENFORCEMENT (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 Alderwoman Roberts and after a roll call the vote was 7-0. Alderwoman Holcomb moved to further suspend the rule and place the ordinance on third and final reading, seconded by Alderman Easterly and after a roll call the vote was 7-0. Alderwoman Holcomb moved for adoption, seconded by Alderman Brown and the motion carried 7-0. Alderwoman Holcomb moved for the emergency clause, seconded by Alderwoman Roberts. After discussion, it was determined that the emergency clause was not necessary; Alderwoman Holcomb withdrew her motion and Alderwoman Roberts withdrew her second.

(7) 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 PURCHASING CERTAIN EQUIPMENT; AUTHORIZING A CHATTEL MORTGAGE ON THE EQUIPMENT TO SECURE THE DEBT; 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 the ordinance on 2nd reading, seconded by Alderman Stepps and after a roll call the vote was 7-0. Alderwoman Holcomb moved to further suspend the rule and place the ordinance on 3rd and final reading, seconded by Alderman Brown and after a roll call the vote was 7-0. Alderwoman Holcomb moved for adoption, seconded by Alderman Stepps and the motion carried 7-0. Alderwoman Holcomb moved for adoption of the

emergency clause, seconded by Alderman Boyd and after a roll call the vote was 7-0.

- (8) AN ORDINANCE ADOPTING A CONTRACTOR / VENDOR SERVICES POLICY FOR 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 the ordinance on 2nd reading, seconded by Alderwoman Walker and after a roll call the vote was 7-0. Alderwoman Holcomb moved to further suspend the rule and place the ordinance on 3rd and final reading, seconded by Alderman Brown and after a roll call the vote was 7-0. Alderwoman Holcomb moved for adoption, seconded by Alderman Brown and the motion carried 7-0.
- (9) A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE AN AGREEMENT WITH SPRINT FOR TELECOMMUNICATIONS SERVICES was read by the City Attorney. Alderwoman Holcomb moved for adoption, seconded by Alderman Stepps and the motion carried 7-0.
- (10) A RESOLUTION DECLARING CERTAIN HOUSES BUILDINGS AND/OR STRUCTURES AS NUISANCES AND

ORDERING THEIR ABATEMENT was read by the City Attorney. Alderman Easterly moved for adoption, seconded by Alderman Stepps. During discussion Alderman Stepps moved for an amendment, and stated there is a list of five (5) properties to be removed from the resolution and you all have a copy of that list in front of you, seconded by Alderwoman Walker and the motion carried 7-0. Alderwoman Holcomb moved for the original as amended, seconded by Alderman Stepps and the motion carried 7-0.

Announcements

The following announcements were made:

- The annual Enchanted Land of Lights and Legends Holiday Lighting exhibit is displayed from November 17 through December 31, 2009 in Regional Park. The exhibit can be viewed from the comfort of your vehicle.
- November Character Trait is Initiative vs. Idleness – recognizing and doing what needs to be done before I am asked to do it..

Alderman Stepps moved to adjourn the meeting, seconded by

Alderwoman Roberts and the motion carried 7-0.

Meeting adjourned

No further business

All other comments