

REGULAR MEETING OF THE BOARD OF DIRECTORS OF THE CITY OF TEXARKANA, ARKANSAS NOVEMBER 7, 2011

MEMBERS PRESENT:

The Board of Directors of the City of Texarkana, Arkansas, convened in regular session at 7:00 PM on November 7, 2011.

ROLL CALL:

Mayor Smith asked the Clerk to call the roll and the following Board Members were present: Mayor N. Wayne Smith, Assistant Mayor James Mike Jones, and Directors Ruth Penney Davis, Chad Dowd, Laney J. Harris, Sue Johnson, and Londell Williams. Also present were City Manager Harold E. Boldt, City Attorney Ned Stewart, and City Clerk Patti Scott Grey.

Mayor Smith asked it be duly noted there was a quorum present for tonight's meeting.

INVOCATION:

The invocation was given by Director Ruth Penney Davis.

PLEDGE OF ALLEGIANCE:

Director Ruth Penney Davis led everyone in the Pledge of Allegiance.

COMMENTS FROM THE MAYOR:

Welcome and Board Meeting Procedure:

Mayor Smith welcomed the public and city staff to tonight's board meeting. He spoke briefly about the Agenda Item and Citizens' Communication Cards. He pointed out the cards and agendas along the rail for tonight's board meeting. The Mayor asked any audience member interested in speaking at tonight's board meeting to complete one of the cards and turn it in to the City Clerk. The Mayor said this would help run an organized meeting and allowed the Clerk to have the necessary information for the meeting minutes. He stated any citizen could comment

on any item the board would vote on and express their desires, but would be limited to five minutes.

Mayor Smith said there was one thing he needed to cover about good, robust discussions. He thought they were healthy and helpful especially during workshops, but at a Board of Directors' meeting, there were certain rules that needed to be followed. He said he would like to go over those rules with his peers and the public. Please understand, anytime you were speaking, that you were speaking to the Chair, which was the Mayor. He said not to speak directly to the directors, but to speak directly to him. We will speak one at a time. Sometimes during robust discussions, we get excited. Again, we will all speak one at a time, everybody will have an opportunity to hear one another, and collect our thoughts to respond. We will discuss topics in a conversational volume. He said the conversations will be appropriately controlled; no profanity in any form or fashion; and no name calling. Mayor Smith said he had a gavel and it worked very simply. If he sounded the gavel, all discussion will stop, until the Mayor, as Chairperson, said he was ready to proceed. If that was not adhered to, the meeting may end quickly. Please adhere to these rules. He said they were not his, but Robert's Rules of Order, which the board will abide by.

Public Works Department Employee Recognition:

Mayor Smith recognized Public Works Grants Administrator Tracie Lee for receiving kudos from the Department of Housing and Urban Development (HUD). The city has been at the top of the list for the last two years for compliance of HUD regulations. Based upon that, HUD had waived the city's audit for 2011 due to our oversight of the program. He thought that was outstanding for the Public Works Department, specifically Ms. Lee, because it was her responsibility to take care of. The Mayor gave Ms. Lee his compliments and appreciation on behalf of the Board of Directors.

South Regional Wastewater Treatment (WWTP):

Mayor Smith said in 2007, the cities of Texarkana, Arkansas, and Texarkana, Texas, had a Phase I study done on the treatment plant located on South Stateline Avenue. The study was completed in 2009, but it was 2010 before the city was given the report. It was recommended we go ahead with the Design Phase for renovations and upgrades. The city did not do anything until April 2011. The Texarkana, Arkansas, Board of Directors passed a resolution, authorizing the city manager, through Texarkana Water Utilities (TWU) to negotiate a contract with a company to prepare the design and phase work for the renovation upgrade. In the city's resolutions concerning TWU, they always have the stipulation Texarkana, Texas', approval was needed as well. Both cities operated through TWU to manage the plant. In October 2011, the Texarkana, Texas City Council passed an ordinance, significantly different from ordinances the board has seen in the past. The ordinance contained three items he had concerns. Those items were: specifically only the Texas City Manager was designated to negotiate contracts. Our belief in the past was it has always been TWU negotiating contracts. The second concern was some phraseology Texarkana, Texas 'shall be designated the local agent of any contract', which was contrary to other TWU contracts. The final concern was what he considered a very alarming contract. Texarkana, Texas was authorizing their city manager to negotiate with Texarkana, Arkansas, concerning cost sharing. The contract states, it was to be set 50 percent Texarkana, Texas, and 50 percent Texarkana, Arkansas, with the words "is to be set", there was little room for negotiations. It has never been that way before and the split should be as usual. Based upon that, Mayor Smith said he authored a letter detailing the concerns to Mayor Mayo and the Texarkana, Texas City Council. He said on behalf of the board, the Texarkana, Arkansas Board of Directors was willing to hold a special meeting and provide a modified resolution if both parties could agree on these issues. Mayor Smith wanted to make sure the board members were apprised of the concerns. It was the board's responsibility, when the city was not treated fairly, to stand up for our citizens and to bring the concerns to the public. The project needed to be

completed. The plant needed to be upgraded and the renovations needed to happen. A copy of the letter was given to each board director and also the Texarkana Gazette. He said he believed in open meetings and freedom of information. He promised the Gazette he would not do anything behind closed doors. He said once he signed his name to a document it was public information.

Board of Directors' Meeting Time:

Mayor Smith did not discuss Board of Directors' Meeting time.

NO ACTION REQUIRED:

Mayor Smith noted the section, "**No Action Required**", on tonight's agenda in response to Director Harris' ordinance (Ordinance No. M-15, passed and approved November 1, 2010). Mayor Smith reminded the board members they had the option, if there was an emergency, to waive the time requirement. This could be done with a majority vote of the board where a quorum was present.

Mayor Smith said he would proceed by reading the item captions. Mayor Smith read item 7A, which would rescind Ordinance No. M-15, passed and approved November 1, 2010, amending the **Rules of Order and Procedure Manual** for the Board of Directors to provide "All resolutions with expenditures or revenues that exceed twenty thousand dollars, and ordinances (other than zoning issues) would be presented to the Board of Directors a minimum of one board meeting prior to its first reading and/or motion."; item 7B, which would amend the FY2011 Budget (Resolution No. 5740) and the City Clerk Department Budget to include the Arkansas Humanities Council (AHC) grant to preserve and publicize Texarkana, Arkansas's historic records; and item 7C, which would authorize the City Manager to purchase material for the Parking Lot Improvements as part of the Economic Development Administration (EDA) improvements for Cooper Tire and Rubber Company.

Mayor Smith stated he asked that this item be added to tonight's agenda.

Mayor Smith said items 7A and 7B had no special requests to be added to tonight's agenda for approval; therefore, those items would be heard at the next regularly scheduled Board of Directors' meeting on November 21, 2011. He then noted item, 7C, did include a special request to be added to tonight's agenda for approval.

RESOLUTION NO. 5841:

Mayor Smith commented Public Works Director Paul Hackleman was out tonight, so City Manager Harold E. Boldt would speak regarding the item. Mr. Boldt spoke briefly in regard to the item, stating the Public Works Department was seeking authorization to purchase 1,600 Tons of SB-2 Class 7 base material at a cost of \$34,752.00. The bidder would deliver the material to the construction site at no additional cost. The Public Works Department advertised in the Texarkana Gazette and solicited bids. Smith's Ready Mix, Inc. of Texarkana, Arkansas was selected based on price.

The Public Works Department has requested this item be voted on tonight, since the bid was only good until November 19, 2011, which would be prior to the next Board Meeting. Material and equipment bidders did not normally hold bid prices longer than 30 days. This would be funded by EDA Cooper Tire Grant funds.

This item would be approved by a resolution; therefore, it would not need an emergency clause. Although a special request had been made by staff to take action on this item tonight, Public Works had asked this item be expedited and passed at tonight's 11072011 Board Meeting, due to the bid being valid for 30 days from bid opening date of 10202011.

Director Davis moved to add the item to tonight's agenda. The motion was seconded by Assistant Mayor Jones. The Clerk called the roll and the following vote resulted: Directors Davis, Dowd, Harris, Johnson, Jones, Williams, and Smith voted aye. The Mayor said the motion carried, as there were seven ayes and no nays.

Resolution No. 5841 was read in its entirety. Said resolution authorized and directed the Public Works Department to purchase 1,600 Tons of SB-2 Class 7 Base Material to be used on

the Cooper Tire parking lot, as part of the Economic Development Administration (EDA) improvements for Cooper Tire and Rubber Company. The low bid was submitted by Smith's Ready Mix, Inc., in the amount of \$34,752.00.

Assistant Mayor Jones, seconded by Director Johnson, moved to adopt the resolution. The Clerk called the roll and the following vote resulted: Directors Davis, Dowd, Harris, Johnson, Jones, Williams, and Smith voted aye. The Mayor declared the resolution adopted, as there were seven ayes and no nays.

PRESENTATIONS:

City Employee Service Awards:

Mayor Smith presented an award to Jerry Anderson. Mr. Anderson received a City of Texarkana, Arkansas, Employee Service Award and Texarkana, Arkansas City pin. The award recognized him for twenty years with Texarkana, Arkansas Fire Department (TAFD). He accepted the honor and thanked Mayor Smith, the Board of Directors, and City Manager Harold E. Boldt.

Mayor Smith commented Max Steed was unable to attend tonight's meeting and he would make sure he received his award and pin. Mr. Steed would have been recognized for fifteen years of service with Texarkana Water Utilities (TWU).

Planning Commissioner Recognition:

Mayor Smith commented former Planning Commissioner Jack Glover could not be here tonight to receive his plaque, so Director Williams accepted on his behalf. He read the plaque which said,

"In grateful appreciation of outstanding service on the Planning Commission from May 6, 2007 to November 20, 2010." The plaque was signed Boots Thomas, Chairman. Mayor Smith asked Director Williams to pass along the board's appreciation for his service on the commission as well.

City Beautiful Commission September 24, 2011 Citywide Cleanup Day Recognition:

Mayor Smith introduced City Beautiful Commission (CBC) Chair Nedra Turney. Ms. Turney first introduced fellow CBC member Debbie Cole and briefly spoke about her accomplishments regarding the CBC. Ms. Turney then recognized Mason Rostollan for his performance at the Citywide Cleanup Day on September 24, 2011, stating on that morning nearing completion, this young man came up to one of the commission members and handed him a \$100 bill he had found on Broad Street. The commission could not believe someone would do this, but Mr. Rostollan said it was not his money. She recognized Mason's parents, Michael and Carol Rostollan, and his grandparent Jerry Hudson. Tammy Blair, the school counselor, was also in the audience. Mayor Smith presented Mr. Rostollan with a certificate in appreciation of his honesty and integrity in the matter along with the \$100 bill. Mr. Mason Rostollan accepted the certificate and thanked everyone.

Business Appreciation Month Proclamation:

Mayor Smith spoke briefly about the Business Appreciation Month Proclamation. The Mayor then read the following:

PROCLAMATION

“Texarkana, Arkansas

Business Appreciation Month”

November 2011

***WHEREAS**, the City of Texarkana, Arkansas and our citizens recognize and greatly appreciate the contributions of local businesses to the overall strength , character, and well-being of our city; and*

***WHEREAS**, residents of Texarkana as well as visitors to our city benefit daily from the variety of services, products, and other accommodations provided by businesses located throughout our city; and*

***WHEREAS**, our local businesses – from the largest to the smallest – provide employment, wages, benefits, and economic stability to thousands of employees and their families; and*

***WHEREAS**, residents of our city benefit daily from the business sector’s countless acts of charity and support for community projects and non-profit programs that reach out to every part of our population; and*

***WHEREAS**, “Business Appreciation Month” in Texarkana, Arkansas provides an opportunity for our city and its citizens to recognize and celebrate the contributions local businesses make in our daily lives.*

***NOW, THEREFORE**, I, N. Wayne Smith, Mayor of Texarkana, Arkansas, do hereby proclaim November 2011 as*

“Business Appreciation Month”

in the City of Texarkana, Arkansas and ask all citizens of this community to join with me and the Board of Directors in celebrating the richness, diversity, and success of our business community.

***IN WITNESS WHEREOF**, I have hereunto set my hand and caused to be duly affixed the Seal of the City of Texarkana, Arkansas, this 1st day of November 2011.*

***N. Wayne Smith, Mayor**
City of Texarkana, Arkansas*

Attest:

Patti Scott Grey, City Clerk

Director Harris accepted the Proclamation.

CONSENT AGENDA:

Director Dowd moved to approve the consent agenda. The motion was seconded by Director Johnson.

Mayor Smith recognized Nedra Turney and Jerry Turney for the donation of land for the “Welcome to Texarkana Sign” along Interstate 30 in memory of Ms. Turney’s parents, Oscar and Katherine Harris.

The motion carried unanimously. The items approved by consent were:

MINUTES:

The minutes approved were of the regular meeting of October 17, 2011.

RESOLUTION NO. 5842:

Resolution No. 5842 accepted a donation of land from Nedra Jo Harris Turney and Jerry W. Turney to the City of Texarkana, Arkansas to erect a "Welcome to Texarkana Sign" along Interstate 30 in memory of Oscar and Katherine Harris, Mrs. Turney's parents.

RESOLUTION NO. 5843:

Resolution No. 5743 granted permission to Nita Fran Hutcheson, President of Main Street Texarkana, to have the 27th Annual Christmas Parade on Monday, December 5, 2011 from 7:00 PM until 9:30 PM and further authorized to barricade streets along the customary downtown AR-TX Parade Route.

REGULAR AGENDA:

RESOLUTION NO. 5844:

Resolution No. 5844 was read in its entirety. Said resolution authorized and directed the City Manager to enter into a contract with J-Quad Planning Group in the amount of \$22,440.00 for the Analysis of Impediments to Fair Housing. The Public Works Department advertised for bids for Analysis of Impediments to Fair Housing and J-Quad Planning Group submitted the only bid in the amount of \$22,440.00, with said funds to be paid from the 2011 and 2012 Administration Budget.

City Manager Harold E. Boldt spoke briefly in regard to the item, stating the Public Works Department requested a resolution authorizing the consulting contract for the Analysis of Impediments to Fair Housing with J-Quad Planning Group in the amount of \$22,440.00. The City advertised for Request for Proposals on August 21 and 28, 2011, only one proposal was received. The City budgeted 12,600.00 in the CDBG 2011 Administration Budget and the

remaining balance of \$9,840.00 would be budgeted in the 2012 Administration Budget to cover the expense needed.

Director Jonson, seconded by Assistant Mayor Jones, moved to adopt the resolution. The Clerk called the roll and the following vote resulted: Directors Davis, Dowd, Harris, Johnson, Jones, Williams, and Smith voted aye. The Mayor declared the resolution adopted, as there were seven ayes and no nays.

RESOLUTION NO. 5845:

Mayor Smith said the board had two redistricting workshops. The final workshop recommended adopting the map presented by Assistant Mayor Jones. The map had been available to the board members and citizens. At this time, he was coming to the board with a recommendation from the workshop with a vote of 5-1. Mayor Smith invited Director Harris to make his comments.

Director Laney J. Harris presented several maps and commented on each one. The first map was from November 8, 1993 and Director Harris pointed out various streets and wards. The second map was the current ward map. The map needed to be redrawn because of the population information from the census. The map indicated Ward 1 had a negative population of 360; Ward 2 had a negative population of 300; Ward 3 had a negative population of 625; Ward 4 had a negative population of 279; Ward 5 had a positive population of 773; and Ward 6 had a positive population of 802. The third map shown was the map approved in the workshop with the directors' residences indicated. He asked why the other directors had their residences three or four blocks inside their wards, but his residence in Ward 2, was only one block inside his ward. The data from that map stated Ward 2 had 51 percent Black and Ward 3 had 53 percent Black. Ward 2 had 42 percent White and Ward 3 had 42 percent White. The next map was the map Director Williams withdrew at the workshop. Director Harris said it was almost identical to Mike Jones' map. Director Harris introduced Map A, which tried to square up the wards. He said he was trying to equalize responsibility. Ward 2 was 52.46 percent Black and Ward 3 was

53.89 percent Black, which was a .6 percentage difference between the two wards. He said the last map labeled Plan C, was more or less Texarkana Water Utilities GIS Technician Terri Rogers' plan. This plan did take Reverend Williams' church out of his ward. Director Harris stated the drawing of the maps was based upon dwellings, not a building. He stated he would decline in making the rest of his comments.

Director Davis stated she had three calls after the article appeared in the paper, not counting the people that came to her personally. They were very upset the board was trying to gerrymander, get people and places into our own specific ward. The people were not happy with it. She wanted to be clear this was something that had bothered her constituents and the board needed to be aware of it.

Mayor Smith said that was the reason we were having this discussion.

Calvin Clark, 37 Preston Circle, said he was a little confused. He said Ward 1, Ward 4, Ward 5, and Ward 6 were getting along. The problem was between Ward 2 and Ward 3. He said Ward 3 was his ward and he was here to speak up for Reverend Londell Williams. He said he knew what type of leader Reverend Williams had been and still was in his neighborhood. Mr. Clark said Reverend Williams helped other people in other districts. He said we needed to let dead dogs stay dead. Mr. Clark said he was at the workshop last Monday night and all this confusion was not worth a quarter. It just sold newspapers. He asked the board to think about the prayer Director Davis gave at the beginning of the meeting, and do the process in an honest way. He said he wanted the districts to stay just like they were.

Mayor Smith said the reason for redistricting was because the population was counted by the census every ten years. Based upon that census, the board had two obligations it had to meet. The population of each ward should be very close to 4,987. The law allowed a variance of five percent or 249 individuals. We also have a mandate and were required to have two wards that have a majority/minority Black voter population. That meant two wards had to have 51 percent Black population. The map presented for recommendation had Ward 1 with 4,897 population,

which was 90 short; Ward 2 would have 5,099 population, which was 112 over; Ward 3 would have 4,914, which was 73 short; Ward 4 would have 4,983, which was 4 short; Ward 5 would have 4,928 population, which was 59 short; and Ward 6 would have 5,117 population, which was 130 over. All the wards as presented do meet the law requirements of having a variance of no more than five percent, plus or minus. Ward 2 had 2,621 Black population with a percentage of 51.40, which met the criteria. Ward 3 had 2,635 Black population with a percentage of 53.62, which also met the criteria. Based upon that, Mayor Smith asked City Attorney Ned Stewart to concur or agree the map presented from the workshop met the requirements and intent of the law.

City Attorney Ned Stewart said in his opinion, it did.

Mr. Clark asked if someone from the city went out and counted the people or did the city assume the population Ward 3.

Mayor Smith said the population count came from the Census Bureau of the 2010 Census.

Mr. Clark asked if they counted regular people or people from out of town.

Mayor Smith said the Census Bureau hired workers within the community.

Mr. Clark said he was trying to get a real good understanding of this before the board voted. He said there were a lot of people in his neighborhood, who were very unhappy. He asked how many people short Ward 3 was.

Mayor Smith said based upon the ideal situation, if everything was perfect in the world, the magic number for each ward was 4,987, and Ward 3 would be 73 short, which was under the variance of 249. Ward 2 had 5,099, which would be 112 over.

Mr. Clark said he was still confused.

Director Johnson said the 112 fell within the variance allowable.

Mayor Smith said it would be next to impossible for each ward to have exactly 4,987 population. He asked Mr. Clark if he approved the proposed redistricting map.

Mr. Clark said he really did not.

Mayor Smith asked Mr. Clark what was wrong with the proposed map.

Mr. Clark said why not leave Ward 2 and Ward 3 the same. He said it was nothing, but politics.

Mayor Smith said the city cannot leave the map and wards as they were, because the population changed in both wards. The board was not going to make everyone happy. That was the reason the board would vote and the majority would win. He said he appreciated Mr. Clark's comments and concern.

Raymond Braswell, 544 East 44th Street, said he lived at Opportunities, Inc. Senior Living Center. He said the numbers for population came from the ten year census. He wanted to know if the city was satisfying federal law, state law requirements or if the city was satisfying the United States Postal Service and Mister Zip Code. He asked who the city was satisfying with any of these maps.

City Attorney Ned Stewart said it was federal and state law. Zip code did not have anything to do with it. The Census Bureau was totally independent of any governing body and it counted population every ten years. The city used their figures for redistricting. The two requirements the Mayor set forth, that the city had approximately the same number of people in each district or ward, and two wards must be majority/minority. Those requirements were set by federal and state law. The one requiring the two majority/minority wards was called the Voting Rights Act was federal law, based upon the Constitution. Arkansas State Law had the same Constitution as the Federal Constitution. The other one was sometimes referred to as One Person One Vote, which was a combination of Arkansas and federal law.

Mr. Braswell said Mr. Stewart's answer was very thorough and understandable. He said it seemed there was always an appeal process from federal to state to local to municipal. He asked if there would be an appeal, would the map selected would be set, or up in the air until the next census.

Mayor Smith said the board had an obligation to pass a redistricting map. After it passed, the map would be good for ten years. However, there were always opportunities for anyone to object to the map. In another ten years, the board would be doing the same thing it is tonight.

Director Harris said he disagreed with Mayor Smith. According to Arkansas Code 14-61-109, the Miller County Election Commission was required by state legislature to approve the redistricting map.

Mr. Stewart said the board recommended to the Election Commission the redistricting map and they normally accepted the board's recommendation.

Mayor Smith thanked Director Harris for correcting him. He said he appreciated it.

Assistant Mayor Jones, seconded by Director Johnson, moved to have the resolution read. Mayor Smith said a vote to read the resolution was not necessary and asked City Attorney Ned Stewart to read the resolution.

Resolution No. 5845 was read in its entirety. Said resolution accepted the proposed 6-1 redistricting map for recommendation to the Miller County Election Commission.

Assistant Mayor Jones, seconded by Director Johnson, moved to adopt the resolution. The Clerk called the roll and the following vote resulted: Directors Dowd, Johnson, Jones, Williams, and Smith voted aye. Directors Davis and Harris voted nay. The Mayor declared the resolution adopted, as there were five ayes and two nays.

Mayor Smith said the board would submit the redistricting map to the Election Commission.

Director Harris asked what would happen if the Election Commission did not accept the map.

Mr. Stewart said legally the Election Commission had the authority not to accept the map, but they would need a basis for doing so.

Mayor Smith said if the Election Commission did not accept the map, the board would be back with another proposal in a few weeks.

Director Harris asked if the board would be notified of the Election Commission meeting, so they could hear arguments.

Mr. Stewart said they had a meeting specifically for the purpose.

Mayor Smith said he would contact the Chairman of the Election Commission and ask him to give the board adequate notice of their next meeting. He directed the city manager to personally notify each board member of the date and time of that meeting.

CITIZEN COMMUNICATION TIME:

- Texarkana Area Veterans Council Chair Gregory Beck said he thought Texarkana had a unique opportunity to honor two local troops that were killed in Afghanistan, in a unique way by naming the bridge on Stateline Avenue. He would like to propose a resolution for Texarkana, Arkansas to approve naming the bridge the Kyle Stout/Zaniah Creamer Memorial Bridge. He said he knew it was not all up to the board, but he would like their approval to move forward.

Director Davis said the confrontation was not over and she asked “what if there was another local fatality?” She said it would be a little discriminatory if another life was lost and the city honored just those two. She asked about naming the bridge Fallen Veterans of the Afghan War, or something to that effect so that names could be added.

Mr. Beck said he wanted to make it more personal by putting a face to the bridge name. A generic name such as the Veterans Memorial Bridge, did not do that. These two people died so we could have the freedom to meet here and in church. He thought they needed to be remembered by name and face. If someone else died, the city had more bridges and more streets. He said you can drive by the Veterans Memorial on Stateline, but you had to stop and get out of their vehicle to read the names on the wall before it hit home.

Director Davis said she did like the idea of some Memorial, because Zaniah Creamer was her student.

Mayor Smith said he did not agree with the naming of the bridge because other citizens from Texarkana have lost their lives in times of war. He said it would be a dishonor to those others and their families to select two individuals from the most recent war. He said he thought they did deserve some sort of recognition. He appreciated Mr. Beck's passion for the naming of the bridge. He said he was appreciative of anyone who gave their life while in the service of their country. He said one of the seven board members needed to bring the proposed resolution before the board to hear the pros and cons and vote on the naming of the bridge.

- Director Harris thanked Byrnes Barr and Byrnes Barr, Jr. with KLFJ and Beech Street Baptist Church for videoing the City's Board meetings. He also stated what a great improvement there had been at Bramble Park and he has requested wireless Wi-Fi at all the city parks.
- Pastor Terry Martin 831 Laurel Street, said two years ago he went before this board to get permission for a food pantry. At that time, he went over the parking space that was in front of his church building. There were eight areas for parking and for two years, the food pantry 5' x 10' trailer had been parked in one of those areas. The trailer had been kept in good shape. He provided pictures to the board of this trailer and parking lot and where the Code Enforcement Officer said to park the trailer, which was in the yard in front of the church. He said the parking lot and trailer were not eyesores. He said comments were made to him that if the city made an exception for him, the city had to make an exception for everyone. He said his church was an agent with Harvest Texarkana and Rice Depot. He said the trailer had been there for two years. Now, all the sudden he was being cited because the trailer was parked on the corner of the church parking lot. He said he would like to see a modification of the ordinance that would allow him to keep the trailer parked on the parking lot. He said he thought the trailer looked better in the parking lot than in the church yard.

Mayor Smith said it was his fault Pastor Martin was cited for the trailer. He said he asked Code Enforcement to help make the city's aesthetics more pleasing. He asked Mr. Boldt to

look into the situation to see if there was something the city could do legally to help Pastor Martin, but the city needed to be careful when making exceptions. Sometimes common sense needed to prevail.

- Tammy Thompson, #2 Morning Drive, spoke about the Gathering of Authors event that takes place each fall. The event was very important to her and to a lot of people in this area. She spent a lot of time asking for donations to help fund this event and she also appeared before the Advertising and Promotion (A&P) Commission. She said the event not only brought in authors, but film makers, artists, and publishers. It also brought literacy for the kids. She understood the Commissions concern with the charity issue. She said the money from last year's event went to St. Jude Children's Hospital in Memphis, Tennessee. She said there were many children in the area and surrounding area that were being treated at St. Jude and were being saved. She said she could do other things to raise money for St. Jude. She said the Gathering of Authors could become a mecca for the arts. People come from all over to see what authors would be at this event. She did ask for funding and was asking the board to reconsider funding for this event. She said the charity could be local such as Randy Sams Outreach Shelter. Her main goal was for the Gathering of Authors to grow each year. She said she was told that this event did not fall under the guidelines of the statutes as far as funding. In Subchapter 6, Advertising and Promotion Commission Act 26-75-606 stated *"pursuant to this section, commission determines funding of the arts is necessary for supporting its city advertising and promotion endeavors. The Commission may use its funds derived from hotel taxes."* She did not understand why the city would not want to fund literacy and creativity in the arts.

Mayor Smith said he appreciated Ms. Thompson's comments, but this board did not make decisions on the A&P qualification of funds.

Ms. Thompson said she wanted the Commission to reconsider the grant funding. She said most businesses in Texarkana have given donations of money or door prizes for this event.

Ms. Thompson introduced Ian and his mother. Ian's mother said after last year's event Ian and his friends had fun writing and reading each other's stories.

Mayor Smith said the A&P Commission would meet next Monday night, November 14, 2011, and Ms. Thompson was welcome to attend.

ADJOURNMENT:

There being no further business to come before the Board, on motion duly made, seconded, and unanimously carried, the meeting adjourned at 8:30 PM.

N. Wayne Smith, Mayor

ATTEST:

Patti Scott Grey, City Clerk