

**MINUTES OF THE REGULAR MEETING
FORREST CITY CITY COUNCIL
FORREST CITY, ARKANSAS
May 7, 2019**

The City Council of Forrest City, Arkansas met in regular session on May 7, 2019. Mayor Williams called the meeting to order at 6:00 p.m. Alderman Capps offered prayer after which the Pledge of Allegiance was led by Alderman Fields. The following answered roll call: Mayor Williams, Clerk Cochran, and Attorney Wright and City Council members: Williams, Evansington, Reeves, Poteat, Fields, Capps, and Oswalt. Alderman Metcalf was Absent.

Alderman Oswalt made the motion to approve the April 16, 2019 regular meeting minutes. The motion was second by Alderman Fields. Roll Call: All Ayes.

REPORT OF COMMITTEES

Budget

Alderman Poteat stated the budget committee met Thursday, April 18, 2019 at 5:00 p.m.; a chairperson was not chosen because there were only two members present. Alderman Poteat stated it was recommended to move \$1,150,000 from solid waste fund to general fund to finish the two construction projects. Mayor Williams stated before a decision is made, he asked the council to look at the handout on the breakdown from the budget committee with the amounts that is needed to complete the construction projects. The bond balance is also on the report, which adds up to be \$1,208,339.32. He said the additional amount is for change orders and furniture allowance. These are the documents that were received from ETC since the budget committee meeting; this amount should complete both projects.

Alderman Poteat amended her motion to state \$1,220,000 because she understood there would be more change orders, a need to buy furniture and maybe re-do the parking lot. She said we don't won't to keep moving money from one fund to the other. The motion was second by Alderman Oswalt.

Alderman Capps expressed his concerns on the ETC contract that was negotiated by previous administration for ten percent. He said he noticed the change orders on the city hall is \$61,373 and there are no change orders on the aquatic center.

Mayor Williams stated the change orders are some of the items that were discussed when ETC came and spoke to the council; some of the change order are still under negotiation.

Roll Call: All Ayes.

PUBLIC COMMENTS

None

UNFINISHED BUSINESS

Ordinance Repealing Ordinance #1928; Providing for /the Emergency Clause Alderman Evansington

Mayor Williams stated he wanted to make a statement; the ordinance that the council received in their council package was not approved or written by the mayor and it has not been approved or written by the city attorney. The council voted. Mayor Williams stated there is an ordinance on the books and we are moving on to the next order of business.

Alderman Evansington stated he objected and appealed the mayor's decision not to rule on this issue. He then made a motion to continue with what is on the agenda. He then made a motion to vote on the item that was on the agenda.

Mayor Williams then acknowledged Attorney Wright. Attorney Wright stated the agenda is controlled by the chair, which is the mayor and the mayor gets to make that call.

NEW BUSINESS

Gaming Information – Chief Lee

Mayor Williams stated Chief Lee is sick and is not able to make it tonight. There was a question brought up at the last council meeting regarding gaming laws. Mayor Williams told council there is information in their package he would like for them to review. Attorney Wright stated when the law was passed, it was called the Chucky Cheese law games for fun. He stated he believed they are legal; it has not been taken to the Supreme Court. The machines are not illegal; the question is what the people are doing with the machines. The council can talk about regulating

May 7, 2019 Minutes cont.

the machines, taxing them or putting fees on them. Every municipality and county have interpreted that law in many different ways; there has been no guidance from the Supreme Court. Alderman Capps stated this battle has been fought before. He stated he spoke with a lady in Little Rock with the Arkansas Gaming Commission regarding the coin-operated amusement code 26-574-02. She highlighted amusement devices which does not include a machine device or apparatus that constitutes a casino gambling style game. Including, without limitations, mechanical or electronic video poker. she highlighted and circled video poker; if a machine is not video poker, what is it?

Attorney Wright stated every entity interprets the law differently. Alderman Reeves asked if there is already an ordinance in place banning the machines a few years ago.

Alderman Oswalt stated the city confiscated some machines years ago. They were kept in storage, the judge finally said give them back. He stated the machines themselves are not illegal; it is how the people get paid and the problem is catching them.

Mayor Williams stated different judges interpret the law in different ways. Alderman Williams stated maybe we can review what was passed so we can have a better understanding then we can move forward.

Mayor Williams stated the ordinance that was passed will be presented at the next meeting to review and have Chief Lee present to answer any questions.

GENERAL FUND BILLS

Alderman Poteat made a motion to approve and pay the General Fund bills in the amount of \$58,706.03. The motion was second by Alderman Williams. Roll Call: All Ayes.

STREET FUND BILLS

Alderman Reeves made a motion to approve and pay the Street Fund in the amount of \$21,741.83. The motion was second by Alderman Poteat. Roll Call: All Ayes

SOLID WASTE FUND BILLS

Alderman Oswalt made a motion to approve and pay the Solid Waste Fund bills in the amount of \$53,177.07. The motion was second by Alderman Fields. Roll Call: All Ayes.

FORREST CITY WATER UTILITY

Alderman Fields made a motion to approve and pay the Forrest City Water Utility bills in the amount of \$50,666.31. The motion was second by Alderman Oswalt. Roll Call: All Ayes.

ANNOUNCEMENTS and Updates

Mayor Williams announced that there are city pride program applications for council members to reach out to the citizens ages 16-21 in the different Wards. Recently, Governor Hutchinson came down and recognized Forrest City High School and East Arkansas Community College for their great work in a career readiness program. The city pride program is a great way to put the kids to work. The applications are in the mayor's office and online.

Mayor Williams thanked each council member for taking the lead in organizing their Ward in the city's clean-up efforts in Keep Forrest City Beautiful. He stated on Saturday, the car show went very well. Strictly Vettes of Memphis Corvette Club are looking forward to coming back next year.

For additional context, reference the May 7, 2019 tape.

Alderman Fields made a motion to adjourn at 6:20 p.m. The motion was second by Alderman Fields.

Cedric Williams, Mayor

Derene Cochran, City Clerk-Treasurer