

**CITY OF JACKSONVILLE, ARKANSAS**  
**Advertising and Promotion Commission**



**A & P Commission**  
**Regularly Scheduled Meeting**  
**February 16, 2016**

**CALL TO ORDER:**

The Jacksonville A & P Commission met in the regular meeting place of the Commission on Tuesday, February 16, 2016. Chairman/Alderman Ray called the meeting to order at 6:00 p.m. He then delivered the invocation and led a standing audience in the "Pledge of Allegiance".

**ROLL CALL:**

Commissioners Ray Patel, Billy Hall, Jim Hurley, and Alderman Kenny Elliott answered roll call. Chairman/Alderman Ray also answered roll call and declared a quorum. Present (5), Absent (2) Commissioners Dee Lawrence and Andy Patel were absent.

Others present for the meeting included: City Attorney Robert Bamburg, Recording Secretary Nikki Wilmoth, Finance Director Cheryl Erkel, Sells Agency Account Executive Kristen Burgeis, Sells Agency Public Relations Account Executive Allyson Johnson, Mayor Gary Fletcher, Parks and Recreation Director Kevin House, William House, Warren Dupree, and Mike Kish.

**MINUTES:**

**Commissioner Hurley moved, seconded by Commissioner Ray Patel to approve the minutes from the November 16, 2015, November 23, 2015 and December 15, 2015 minutes as presented. Motion Carried.**

**Deviation in agenda**

In response to a question from Chairman/Alderman Ray, Finance Director Erkel replied that at present there is only \$2,000.00 in the cash account, explaining that the majority of payments would be received around the 20<sup>th</sup> of the month, which will bring the cash account up to \$30,000.00. She also noted that a certificate of deposit would be maturing on the 24<sup>th</sup> in the amount of \$50,000.00, which will increase the cash account to approximately \$80,000.00. She explained that the low balance was due to the expenditure of \$154,000.00 for the Shooting Range contribution and the last quarter payment to Parks and Recreation regarding hotel/motel and prepared food tax revenue allocation.

**NEW BUSINESS:**

**1. \$2,500.00 Funding Request for Christmas Parade**

Parks and Recreation Director Kevin House related that the Boys and Girls Club has received funding in the past for this event, adding that he was given a copy of the budget.

**Commissioner Hurley moved, seconded by Commissioner Hall to approve the expenditure of \$2,500.00 to Parks and Recreation for the Christmas Parade. Motion Carried.**

**2. \$7,000.00 Funding Request for Martin Street equipment**

Director House related that this request was along the same lines as to what had previously been funded to the Boys and Girls Club, explaining that since the Boys and Girls Club could not receive funding; he is requesting that the funds be given to Martin Street.

Director House replied that the funds would be used for equipment and programs, clarifying that the programs would be administered by the Parks and Recreation Department.

**Alderman Elliott moved, seconded by Commissioner Hall to approve the expenditure of \$7,000.00 to the Parks and Recreation Department for Martin Street equipment. Motion Carried.**

Mr. Warren Dupree stated that he had been approached by the City and Military Museum Board members to put together a proposal regarding funding they have received in the past from the Commission. He explained that it was structured in terms that would be more agreeable to everyone regarding tourism, conventions, and things of that nature that are specifically in line with allowable expenditure of funds. He related that he put it together but did not have it with him for the Commission's review this evening. He stated that it was put together in such a way that some of the attorneys are a little happier with it. He related his hope that it would be presented to the Commission and a contract could be structured around it.

City Attorney Bamburg stated that a proposal was presented, explaining that in order for the Commission's funds to be used appropriately, there has to be certain language used and the Commission would have to move away from funding a blanket amount and allowing them to use it for whatever they wished. He further explained that Commission funds have to fund specific events, programs, or activities that are operated, managed, or handled by the particular location. He stated that in this circumstance, what the Museum presented had the information regarding the particular activities that the Museum was going to hold, adding that there are some language changes that would need to be made for the funding circumstances to be more secure. He related that because the Museum is an entity that is focused on bringing tourists into the City, it has a distinction from the other entities that the Commission has previously funded. He stated that he is still uncomfortable in doing so, but if the contract is worded correctly and tied to each event and it is determined that if funds don't come from the Commission for the particular events, then the events could not be held in the same manner as they would if the funding occurs. He related his understanding that some of the events would not happen if the funding does not take place, adding that he will make sure that it is applicable to all requested funding in order for the amount to be approved. He stated that if the Commission chooses to fund it, he asked for the Commission's approval to give him the discretion to work out the language that will work from his and the Museum's perspectives.

He related that the proposal is ready and that he has had a chance to review it along with others however, it needs to be modified to make it more event oriented with additional language regarding the Museum's inability to sponsor or fund these events if outside funding is not received.

Discussion ensued.

Alderman Elliott stated that before the Commission could take action, they would need to see a copy of the proposal.

Chairman/Alderman Ray noted that the amount being requested is \$49,000.00.

Mr. Dupree noted that the original amount was approximately \$44,950.00 along with a separate amount for the Vietnam Veteran's event.

Alderman Elliott reiterated that the Commission would need to see the specifics of the proposal prior to taking action.

City Attorney Bamburg stated that they could have something available for the March meeting.

Mr. Dupree agreed that it would be available for the March meeting and could be emailed to Recording Secretary Wilmoth for inclusion in the agenda packet.

**3. \$39,000.00 Funding Request for Dupree Park renovations**

Director House related that he has spoken with several Commissioners regarding the shape of Dupree Park. He stated the Parks and Recreation Department has two places that draw visitors who stay and they are the Shooting Range and Dupree Park. He noted that Dupree Park is an older ballpark and is in bad shape, noting that the maintenance staff does a great job in trying to keep it up. He explained that the request is for fence repair and basically a "face-lift", regarding painting and repair work. He stated that if this isn't the time he understands but wanted the Commission to have it, adding that he will answer any questions the Commission may have.

Discussion ensued and it was noted that additional information would need to be obtained regarding the budget prior to approving any additional requests.

Alderman Elliott suggested tabling this item to the next meeting so the Commissioners would have time to review the information.

Commissioner Hurley questioned if additional revenue sources have been considered such as raising the entry fees.

Director House replied affirmatively, explaining that the Parks and Recreation Department is now running the concession stands, which should be a large revenue source for the Parks Department. He added that they are continuing to look for ways that can help with funding the upgrades.

It was the consensus of those present to table this item of business until the March meeting.

**Resume agenda**

**FINANCIALS:**

Finance Director Erkel reported January assets of \$563,073.00 with \$300,093.00 allocated to investments. She further reported liabilities in the amount of \$101,838.00, explaining that the amount is fourth quarter revenues due to the Parks Department. She explained that all revenues received in January are for the month of December so the report shows no revenues for January. She reported expenditures of \$5,818.00 with expenditures exceeding revenues by the same amount. She also reported hotel/motel gross receipts in December of \$161,920.00, which is a decrease of 2% year-to-date and a decrease of 11% regarding the month-to-month comparison. She noted prepared food tax receipts for December in the amount of \$3,218,302.00, which is an increase of 2% regarding year-to-date comparison and an increase of 5% regarding month-to-month comparison. She further noted overall gross receipts of \$3,531,263.00, which is an increase of 2% regarding the year-to-date comparison and an increase of 4% for the month-to-month comparison.

**Alderman Elliott moved, seconded by Commissioner Hurley to approve the January financial report as presented. Motion Carried.**

**SELLS AGENCY:**

Account Executive Kristen Burgeis introduced Allyson Johnson as the new public relations account executive, explaining that Kathryn Hellar has taken a new position outside the agency.

Public Relations Account Executive Allyson Johnson presented a list of recent news and events content calendar for the website, explaining that they want to keep the content relevant for anyone who may be visiting the website. She explained that any of the information can be changed, added, or edited, noting that the calendar is flexible. She related that they would like to have three to four topics per month or one per week, adding that everything listed ties back to a specific event or topic that is current in Jacksonville. She related that this calendar can also be used to pitch specific events to the media.

Account Executive Burgeis added that if the Commission has any changes or additions to please contact Recording Secretary Wilmoth. She then gave a presentation regarding the new website.

**OLD BUSINESS:**

**ANNOUNCEMENTS:**

Recording Secretary Wilmoth read the list of upcoming events to include the Doyle Gaskin Shooting Class, the Easter Egg Hunt, and the Underwater Easter Egg Hunt.

Mr. Dupree informed the Commission of the upcoming "Night at the Victory Canteen" Museum fundraiser.

**ADJOURNMENT:**

With no further business, Chairman/Alderman Ray adjourned the meeting at 6:35 p.m., next meeting March 21, 2016.

**CALL TO ORDER:**

The Jacksonville A & P Commission met in the regular meeting place of the Commission on Monday, April 25, 2016. Chairman/Alderman Ray called the meeting to order at 6:00 p.m. He then delivered the invocation and led a standing audience in the "Pledge of Allegiance".

**ROLL CALL:**

Commissioners Ray Patel, Andy Patel, Dee Lawrence, Billy Hall, Jim Hurley, and Alderman Kenny Elliott answered roll call. Chairman/Alderman Ray also answered roll call and declared a quorum. Present (7), Absent (0).

Others present for the meeting included: City Attorney Robert Bamburg, Recording Secretary Nikki Wilmoth, Finance Director Cheryl Erkel, Director of Administration Jim Durham, Parks and Recreation Director Kevin House, Danna Kay Duggar and Warren Dupree.

**MINUTES:**

**Commissioner Andy Patel moved, seconded by Alderman Elliott to approve the minutes from the March 21, 2016 meeting as presented. Motion Carried.**

**FINANCIALS:**

Finance Director Erkel reported March assets of \$412,278.00 with \$250,782.00 allocated to investments. She further reported liabilities in the amount of \$65,156.00, explaining that the majority is quarterly revenues due to the Parks Department. She noted total revenues of \$130,315.00 and expenditures of \$185,644.00 with expenditures exceeding revenues by \$55,329.00. She also reported hotel/motel gross receipts in February of \$195,043.00, which is an increase of 1% year-to-date and an increase of 1% regarding month-to-month comparison. She noted prepared food tax receipts of \$3,460,140.00, which is an increase of 4% regarding year-to-date comparison and an increase of 10% regarding month-to-month comparison. She further noted overall gross receipts of \$3,655,183.00, which is an increase of 4% regarding the year-to-date comparison and an increase of 10% for the month-to-month comparison.

Commissioner Hurley commented that part of the increase is weather related; noting that last year there were three or four incidents of inclement weather and only one incident this year.

Discussion ensued.

**Commissioner Hurley moved, seconded by Alderman Elliott to approve the March financial report as presented. Motion Carried.**

**OLD BUSINESS:**

**NEW BUSINESS:**

**1. \$4,950.00 Funding Request for Welcome Home Vietnam Veterans Event: JPR**

Parks and Recreation Director Kevin House stated that his department is looking to contract with the Jacksonville Museum of Military History to host this event, which is something that his department is unable to do. He noted that the budget for the event is \$8,200.00, explaining that the Museum already has some funds available but there is a need for an additional \$4,950.00 to fund the event.

Mr. Warren Dupree stated that due to some adjustments that were made due to uncertainty of funding, they will probably come in under the \$4,950.00 but will not be certain until the event. He noted that the weather forecast calls for rain but they have a plan in place for inclement weather.

In response to a question from Commissioner Andy Patel, Director House replied that all invoices for this event will be paid through his department and they will be accountable for all funds received.

Mr. Dupree noted that the event begins at 9 a.m. with vendors that are involved in veterans' affairs, two mobile food vendors, a car show sponsored by Relay for Life that will be held from 9 a.m. to 2 p.m., an honor and remembrance ceremony at 3 p.m., and dinner on the grounds immediately after the remembrance ceremony. He also noted that they will be showing a couple of movies and featuring several things within the Museum throughout the day. He stated that there will also be an inflatable "bounce house" and that there is no admission to attend.

**Alderman Elliott moved, seconded by Commissioner Andy Patel to approve the expenditure of \$4,950.00 for the Welcome Home Vietnam Veterans' event. Motion Carried.**

Commissioner Hurley questioned if this was the procedure that would be followed to fund special events.

City Attorney Robert Bamburg replied that it was up to the Commission, explaining that events are really the only thing that funds can be applied to however; the Commission would need to review and decide whether the event is appropriate for Commission funding. He explained that in this case, Director House agreed to manage the event to ensure that it went through the proper channels. He further explained that the event would need to be tourist based that the department itself cannot sponsor or handle.

**ANNOUNCEMENTS:**

**ADJOURNMENT:**

With no further business, Chairman/Alderman Ray adjourned the meeting at 6:15 p.m., next meeting April 25, 2016.

**CITY OF JACKSONVILLE, ARKANSAS**  
**Advertising and Promotion Commission**



**A & P Commission**  
**Regularly Scheduled Meeting**  
**July 18, 2016**

**CALL TO ORDER:**

The Jacksonville A & P Commission met in the regular meeting place of the Commission on Monday, July 18, 2016. Alderman/Chairman Ray called the meeting to order at 6:00 p.m. He then delivered the invocation and led a standing audience in the "Pledge of Allegiance".

**ROLL CALL:**

Commissioners Ray Patel, Andy Patel, and Billy Hall answered roll call. Alderman/Chairman Ray also answered roll call and declared a quorum. Present (4), Absent (3) Commissioners Dee Lawrence, Jim Hurley, and Alderman Kenny Elliott were absent.

Others present for the meeting included: City Attorney Robert Bamburg, Recording Secretary Nikki Wilmoth, Finance Director Cheryl Erkel, Sells Agency Account Executive Kristen Burgeis, Parks and Recreation Director Kevin House, Mike Kish, and Debra Horn with "The Leader" newspaper.

**MINUTES:**

**Commissioner Andy Patel moved, seconded by Commissioner Ray Patel to approve the minutes from the April 25, 2016 meeting as presented. Motion Carried.**

**FINANCIALS:**

Finance Director Cheryl Erkel presented the financial report for June noting total assets of \$437,499.00 of which \$250,980.00 are investments. She reported total liabilities of \$36,124.00. She noted total revenues of \$353,803.00 and expenditures of \$383,908.00, which is a deficit of \$30,105.00.

She reported May hotel/motel gross receipts of \$271,332.00, which is a 3% increase regarding the year-to-date comparison and a 9% decrease regarding the current month comparison. She also reported prepared food tax gross receipts of \$3,429,338.00, which is an increase of 3% regarding year-to-date comparison and a 1% decrease for the current month comparison. She noted overall gross receipts of \$3,700,670.00, which is an increase of 3% regarding the year-to-date comparison and a 2% decrease for the current month comparison.

In response to a question from Commissioner Andy Patel, Director Erkel replied that when the certificates of deposit mature, she sends out bids to all the local banks. She related that she invests with the bank that has the best interest rate.

**Commissioner Andy Patel moved, seconded by Commissioner Ray Patel to approve the financial report as presented. Motion Carried.**

**SELLS AGENCY:**

Sells Agency Account Executive Kristen Burgeis showed the revised television commercial that is currently running in Jonesboro and the surrounding area. She related that the commercial has been running for approximately five weeks. She stated that it will also be available on the website. She presented a PowerPoint presentation regarding recently completed print media including an ad in the Little Rock Air Force Base Relocation Guide, which has a distribution of approximately 40,000. Also included is The Big Bang on the Range print ad and billboard wrap, the Spirit of Jacksonville ad, and the FestiVille color palette. She noted that the FestiVille "save the date" billboard wrap is posted. She also noted that they have recently completed some digital ads which featured Splash Zone and area restaurants.

Parks and Recreation Director Kevin House provided a brief update regarding attendance at the Big Bang on the Range. He noted that regarding the Shooting Range, as of June they have thrown 1.2 million targets this year, which is the total number of targets thrown in 2015. He related that attendance has continued to grow, noting that they had a record attendance at the recent State shooting tournament, with 604 shooters from 18 states, adding that it was a six-day shoot.

In response to a question from Commissioner Andy Patel, Director House related that we are drawing visitors to Jacksonville; however they are choosing to eat where there are more restaurants and newer and nicer hotels.

Discussion ensued.

Director House related that the Welcome Home Vietnam Veterans' event allocated funds were not used, noting that the unused amount is approximately \$3,600.00. He stated that the Museum would like to host another event in December in remembrance of Pearl Harbor for \$350.00. He asked if the funds could be re-allocated for the event in December. He noted that the Museum wants to show a movie and the license is \$350.00.

**Commissioner Andy Patel moved, seconded by Commissioner Ray Patel to re-allocate \$350.00 towards the Pearl Harbor event in December pending a contract. Motion Carried.**

Mike Kish, President of the Reed's Bridge Battlefield Preservation Society, related that since the beginning of April they have had approximately 330 visitors from seven or eight states. He noted that they have had seven individuals who have signed in with the primary interest of photography and five or six individuals who had a primary interest in doing a commercial. He related that he has signage posted requesting if there is an interest in either photography or commercials to please note it on the log book. He noted that most are from the greater Little Rock area with a few from Cabot.

**OLD BUSINESS:**

**NEW BUSINESS:**

**ANNOUNCEMENTS:**

Recording Secretary Wilmoth read the announcement of the Back to School Splash at Splash Zone.

**ADJOURNMENT:**

With no further business, Alderman/Chairman Ray adjourned the meeting at 6:32 p.m., next meeting August 15, 2016.

**CITY OF JACKSONVILLE, ARKANSAS**  
**Advertising and Promotion Commission**



**A & P Commission**  
**Regularly Scheduled Meeting**  
**November 21, 2016**

**CALL TO ORDER:**

The Jacksonville A & P Commission met in the regular meeting place of the Commission on Monday, November 21, 2016. Alderman/Chairman Ray called the meeting to order at 6:00 p.m. He then delivered the invocation and led a standing audience in the "Pledge of Allegiance".

**ROLL CALL:**

Commissioners Ray Patel, Andy Patel, Jim Hurley, Billy Hall, and Alderman Elliott answered roll call. Chairman/Alderman Ray also answered roll call and declared a quorum. Present (6), Absent (1) Commissioner Dee Lawrence was absent.

Others present for the meeting included: City Attorney Robert Bamburg, Recording Secretary Nikki Wilmoth, Finance Director Cheryl Erkel, Parks and Recreation Director Kevin House, Alderman Mashburn, Mike Kish, Jack Danielson, Jacksonville Museum of Military History Director Danna Kay Duggar, Jacksonville Museum of Military History Operations Manager Warren Dupree, Marleen Eddlemon, Jacksonville Museum of Military History supporters, and Rick Kron with "The Leader" newspaper.

**MINUTES:**

**Commissioner Andy Patel moved, seconded by Commissioner Ray Patel to approve the minutes from the July 18, 2016 meeting as presented. Motion Carried.**

**FINANCIALS:**

Finance Director Cheryl Erkel presented the financial report for October noting total assets of \$478,261.00 of which \$201,310.00 are investments. She reported total revenues of \$638,798.00 and expenditures of \$628,141.00, which is an excess of \$10,657.00.

She reported September hotel/motel gross receipts of \$218,795.00, which is a 3% increase regarding the year-to-date comparison and a 4% increase regarding the current month comparison. She also reported prepared food tax gross receipts of \$3,365,445.00, which is an increase of 3% regarding year-to-date comparison and a 6% increase for the current month comparison. She noted overall gross receipts of \$3,584,240.00, which is an increase of 3% regarding the year-to-date comparison and a 6% increase for the current month comparison.

In response to a question from Commissioner Andy Patel, Finance Director Erkel replied that penalty amounts are charged when payments are late and additional administrative work is done to collect the past-due amounts. She stated that she could not recall the exact amount charged, adding that everyone is charged the same late fee per the Ordinance. She replied that the City does not charge interest but does charge a flat-rate fee when collection letters are mailed to past-due vendors.

Commissioner Andy Patel commented that a policy needs to be put into place regarding accounts that are delinquent by several months.

City Attorney Bamburg stated that the City would not wait that long to collect on owed amounts. He noted that if you wait longer than 60 to 90 days to collect, the chances of collecting the amount owed is minimal.

**Commissioner Hall moved, seconded by Commissioner Hurley to approve the financial report as presented. Motion Carried.**

**OLD BUSINESS:**

Alderman/Chairman Ray asked City Attorney Bamburg to update the Commission regarding Amendment 3 before discussing the 2017 Budget.

City Attorney Bamburg related that Amendment 3 was passed on November 8<sup>th</sup>, pointing out that some folks thought that Amendment 3 was going to be the “catch all” fix for any issues that the Commission has been addressing for the past couple of years. He asked the Commission to please recognize that Amendment 3 speaks specifically about monies from municipalities or other such entities being used for economic development purposes and it does not talk about A & P money. A & P money is limited to those matters, entities, or circumstances that take care of advertising and promotion of the municipality, payment of expenses with a convention center, parks and recreation, theme parks, family entertainment circumstances, and those kinds of things, operational expenses for a tourism promotional facility but only if the municipality has ownership of the facility.

Commissioner Andy Patel stated the bottom line is that Amendment 3 passed but the scenario faced by the Commission over the last two years is still the same.

City Attorney Bamburg pointed out that it is an issue the Commission has been facing all along; it has just come to attention in the last few years. He stated that he has just related what the ballot title for Amendment 3 states, which is “for economic development”.

Commissioner Andy Patel confirmed that spending of funds is still restricted.

City Attorney Bamburg agreed, adding that funds have to be spent for advertising and promotion of the City.

**NEW BUSINESS:**

**1. Discussion/Approval 2017 Budget**

Alderman/Chairman Ray related that due to the requests received and the short budgetary timeline, he has made some preliminary adjustments for discussion. He stated proposed revenues of \$850,448.00, noting that half goes to Parks and Recreation.

He stated that Administrative/Operational expenditures are “set in stone” in the amount of \$32,836.00 as well as the Direct Advertising/Promotional line item of \$6,650.00 unless the Commission wants to make a change.

With no further comments, Alderman/Chairman Ray then began to address the line items under Special Projects. He related that the \$154,000.00 line item for the Shooting Range is not negotiable, explaining that it is the City’s share of the payment regarding the Shooting Range loan.

It was noted that the Shooting Range was a five year project and that the Commission has made payments for two years with the third to be made in 2017.

Discussion ensued regarding the Commission’s agreement with Commissioner Andy Patel noting that the Commission’s agreement was originally for \$500,000.00.

Commissioner Hurley related that if his memory is correct, the Commission made an initial payment of \$100,000.00, adding that last year was the first year the Commission made a payment of \$154,000.00, stating his belief that it continues for three additional years.

Recording Secretary Wilmoth noted that in 2014 and 2015, the Commission made a payment in the amount of \$180,000.00, adding that in 2016 the Commission remitted \$154,000.00.

Alderman/Chairman Ray related that the \$500,000.00 came up when the City had to have an extension of the \$2 million dollars to \$2.5 million that the City had to spend for the construction of the Shooting Range. He stated somewhere something came up that the City had to have additional funds and the Mayor and his administration was searching for additional revenues when they came before the Commission.

Commissioner Andy Patel asked for an account of what the Commission has paid and what is still outstanding.

Alderman/Chairman Ray stated that if the Commission did not have that line item, it would have enough funds to distribute throughout the City.

It was noted that the Commission is committed to the continued funding of the Shooting Range at this time.

Alderman/Chairman Ray reviewed funding requests from the Parks and Recreation Department for FestiVille for \$48,575.00, Big Bang on the Range for \$9,000.00, and the Christmas Parade for \$2,500.00. He further reviewed funding requests from the Jacksonville Historical District for \$25,000.00, the Museum of Military History for \$40,000.00, and the Boys and Girls Club for \$10,000.00. He also noted the \$4,000.00 line item for the Little Rock Air Force Base.

He stated that regarding FestiVille, the request was for \$48,575.00, proposing that the Commission fund \$25,000.00. He proposed funding the entire amount requested for Big Bang on the Range, which is \$9,000.00 and \$2,500.00 for the Christmas Parade.

He noted the Jacksonville Historical District's request for \$25,000.00, recommending the Commission fund \$5,000.00. He also recommended funding the Museum of Military History for \$20,000.00, the Boys and Girls Club for \$10,000.00 and the Little Rock Air Force Base for \$4,000.00.

Commissioner Andy Patel pointed out the Commission already gives half of its revenues to Parks and Recreation, which can be restrictive of funding to other entities within the City. He asked Director House if the Commission was the only source of funding for his requests.

Parks and Recreation Director Kevin House stated that these events are not budgeted within the Parks and Recreation budget and would not occur without funding from the Commission.

Commissioner Andy Patel questioned how these events impact or benefits the City.

Director House replied that just like the rest of his Department, it is all quality of life. He stated that they bring people to Jacksonville, noting record attendance at FestiVille this year. He added that the increased funding request is due to the continued need to grow. He replied that if they do not receive funding for the entire amount, they will either "scale down" the event or cancel it.

Discussion ensued with Commissioner Andy Patel agreeing with the funding of \$25,000.00 for FestiVille.

Alderman/Chairman Ray then addressed the line item for Big Bang on the Range, noting that they received \$10,000.00 in 2016 but only requested \$9,000.00 for 2017. He stated that the event is a draw and very successful.

Commissioner Andy Patel questioned the difference in the \$8,500.00 budgeted versus the \$9,000.00 requested.

Director House replied that prices due tend to change, adding that any unused funds would be refunded to the Commission.

With no further discussion, Alderman/Chairman Ray addressed the line item regarding the Christmas Parade in the amount of \$2,500.00.

He then addressed the \$25,000.00 line item for the Jacksonville Historical District, explaining that the City purchased a building on First Street that is in need of a new roof. He related that his original intent was to propose funding of \$10,000.00, explaining that the Commission did not have enough funds available so he is recommending \$5,000.00.

Commissioner Andy Patel questioned if the Commission should still entertain requests that cannot be funded.

Commissioner Hall then questioned if the Jacksonville Historical District's request could be considered since it's a City building centered on tourism.

City Attorney Bamburg related his understanding that the building was purchased by the Historical District and not the City.

Commissioner Hurley questioned City Attorney Bamburg's interpretation as to whether the Commission could fund this request.

City Attorney Bamburg replied that the Commission's funding is still limited to advertising and promotion. He added that the funding approval that was gained by the passage of Amendment 3 is for economic development. He stated that the rules have not changed much from what they were.

Commissioner Hurley commented that the line item needs to be "striked" unless the Commission wants to vote against the legal advice of counsel.

Commissioner Andy Patel stated that the Commission wants to do something for each request received but if it can't be legally funded then the Commission should not take action. He emphasized the Commission has to be on the same page.

Alderman/Chairman Ray asked that the Commission table this item until later in the meeting.

He then related the Museum of Military History has requested \$40,000.00, noting that the Museum is a draw for the City. He pointed out the Museum is also an educational tool for the children, adding that he would like to fund the entire amount or as much as possible to keep it going. He added that he would not like to see the Museum close for lack of funding. He related his recommendation of funding \$20,000.00, adding that if the Commission could find additional revenue to increase the funding to \$40,000.00, he would be glad to hear it.

Commissioner Hurley noted that the Commission was unable to fund the Museum last year, questioning what the difference would be for 2017.

Alderman/Chairman Ray replied that he was uncertain.

Commissioner Hurley stated that if the Commission could not do it then, it can't do it now or until the Commission gets a definite answer from the Courts, questioning if that was accurate.

City Attorney Bamburg stated that with regard to the ruling last year regarding A & P monies or funds of that nature, in his opinion, they tried to fix but ultimately limited Amendment 3 to economic development.

Alderman/Chairman Ray stated he thought the solution was to go through Parks and Recreation.

It was noted that the funding had to be "event specific".

Commissioner Andy Patel stated that the bottom line is that the Commission would like to see the continued operation of the Museum however; the Commission can't fund this request as presented.

Alderman Elliott commented that the Museum is important, adding that the Commission needs to find a way to fund them in some way.

Commissioner Hurley remarked "he would love to", adding that the Commission ruminated on this last year and could not find a way. He stated that he does not know how to go about it now, adding that the Commission could vote on it and "let the chips fall where they may" if that is what Alderman/Chairman Ray wants to do.

Alderman/Chairman Ray agreed to a vote, saying that if the Commission cannot come up with the requested amount, he wants to fund \$20,000.00.

Commissioner Hurley questioned what the consequences would be if the Commission funded this request and then it comes back, what would be the risk assessment.

City Attorney Bamburg replied the risk assessment is that anyone who pays any portion of A & P monies, whether its hotel or prepared food tax, can file suit for misappropriation of funds. The Commission would then have to reimburse all and then reimburse the cost of the action. If it is determined to be a misappropriation of funds, it has to be reimbursed which commonly turns into class action suits, which creates a huge amount of legal fees and expenses to try to get the money back to the individuals and/or entities that have paid it. He asked that the Commissioners think about the complex nature of paying back everyone who has paid hotel and prepared food tax, which would be every customer of every hotel and prepared food entity in town.

Commissioner Andy Patel asked City Attorney Bamburg to find a way to help this entity, adding that he does not want the Commission to take any steps that could potentially be illegal.

City Attorney Bamburg recalled that he was directed last year to prepare a contract to fund certain events. He stated that he told the Commission then and now that it is a "gray area" of how to do the funding, that position has not changed.

Alderman/Chairman Ray commented that having a contract would be appealing. The contract will give the Commission an opportunity to help the Museum.

City Attorney Bamburg stated that the Commission directed him to prepare a contract in order to fund certain events that the Museum sponsored and requested funding for through the Parks and Recreation. He stated that he did it, adding that he told the Commission then and now that it is still a very "gray area". He further stated that he does not think it is quite right but if that is what the Commission directs him to do, he will do it.

Alderman/Chairman Ray stated that he is not "striking" the item but is placing a question mark beside it and moving on to the next line item.

Commissioner Hurley confirmed that there were two line items on the table, the Historical District and the Museum.

Alderman/Chairman Ray concurred.

Commissioner Hurley then asked if the Commission were going to come back to those items and make a determination.

Commissioner Andy Patel stated that he did not think so because if the Commission cannot entertain nor do anything then a determination should be made now. He added that the Commission can't go back and work on the same issues that City Attorney Bamberg has already stated is a "gray area" and that could not be funded last year when nothing has changed. He noted that the Commission wanted to do something but if it's not in our hands how the Commission can entertain it again unless the Commission finds another way.

Alderman/Chairman Ray stated that he is not at a "stand still", adding that he is still in the motion of placing it on the table. He added that the Commission should place the items on the table and at the next meeting; he may come up with something.

He related that the line item for the Boys and Girls Club places the Commission in the same dilemma. He suggested that this item also be placed on the table until the next meeting. He stated his intention of holding a meeting on the third Monday in December to see if he can come up with a different plan.

Alderman/Chairman Ray questioned the line item for the Little Rock Air Force Base, whether it was for the Air Show.

Recording Secretary Wilmoth noted that the line item would be for the Rodeo, explaining that it could be funded if the funds were not through a non-profit. She explained that the issue with distributing funds this year was that the funds would be going to a non-profit entity, so the Commission did not expense the funds this year. She stated that the Commission has always had a line item in the budget for the Base events.

Discussion ensued.

Alderman Elliott stated that the amount should be left in the budget as long as there is an avenue available to legally expense it.

Alderman/Chairman Ray noted that total revenues budgeted is \$850,448.00 and total expenditures presented is \$804,310.00.

Commissioner Hurley noted that \$35,000.00 could be added toward the line items that have been tabled.

It was noted that with the tabled items, total expenditures would be: \$769,310.00.

Commissioner Andy Patel noted that 2016 was a better year than 2015, adding that he is optimistic that 2017 will also be better. He pointed out that the Commission always budgets conservatively which is not wrong.

**Commissioner Andy Patel moved to approve the budgeted line items in the amount of \$769,310.00 and tabling \$35,000.00 until the December meeting.**

Commissioner Hall questioned if the line item for marketing in the amount of \$110,000.00 has even been put out for bid.

Commissioner Hurley replied affirmatively, noting that no additional bids were received.

Recording Secretary Wilmoth noted that one additional bid was received but was subsequently rejected.

Alderman/Chairman Ray questioned if anyone had an objection to the Sells Agency handling the marketing campaign.

Commissioner Andy Patel stated that they are doing a good job and hopefully 2017 will continue to see more good results. He noted that originally the line item was for \$150,000.00 but has been decreased to \$110,000.00.

Recording Secretary Wilmoth noted that presently they are below budget for this year.

Commissioner Andy Patel question how things were going regarding the working relationship.

Recording Secretary Wilmoth replied that things are going very well with no complaints, adding that they are in constant contact via email and are working with Marlo, Dana and sometimes Director House.

Alderman/Chairman Ray then questioned Director House regarding the Sells Agency.

Director House stated that he has received some good reports regarding brochures at the Welcome Centers. He added that they are doing a good job but there is always room to improve, adding that the same could be said for him his Department. He related that the Sells Agency has done a better job this year than what was done two years ago. He stated that a couple of years ago, he was not happy but the last two years they have really stepped up.

Alderman/Chairman Ray remarked that at the Muncipal League meeting he questioned if anyone had seen any advertising and he was informed that the commercial was seen as well as advertisements in the local newspapers.

Alderman Elliott confirmed that the motion was to approve all of the budgetary expenditures with the exception of the three line items and that the funds for the three line items is being left unbudgeted and not committed and is still up for discussion.

Alderman/Chairman Ray concurred.

Recording Secretary Wilmoth noted that the budgeted/undesignated amount is presently \$81,138.00 to include the three items that are presently tabled.

Alderman/Chairman Ray called for a second to the motion.

**Motion dies for lack of a second.**

Alderman/Chairman Ray then opened the floor for public comment.

Mike Kish, President of the Reed's Bridge Battlefield Preservation Society, stated that this year they did not receive funding for the Living History event due to an issue with budgeting. He related that they previously received \$2,500.00 from the Commission for that event. He stated he would like to propose up to \$5,000.00 to get the funds that they did not receive this year and funds for 2017.

He related that he has already started putting a couple of things into play to have a "full blown" two-day reenactment. He stated that he has no idea what that will cost, explaining that the organizations looking to sponsor it within the State will have to figure out how many reenactors and cannons will be needed. He related that when he receives an approximation of how much it will cost, he will provide that information to the Commission. He stated that he would like for the Commission to consider setting aside up to \$5,000.00.

Commissioner Hurley noted that there is a funding request form that would need to be completed, commenting that the Commission has not been able to agree on the requests submitted much less a new request. He reiterated that a funding request form would need to be completed, which could be included within the budget and considered at the next meeting.

Mr. Kish stated acknowledgement, adding that he was trying to apprise the Commission of where they are. He related that this year is a reenactment year at Prairie Grove Battlefield, inviting the Commissioners to attend to see the number of visitors and the economic impact to the community. He stated that having a Civil War battlefield within the City can have a long-term impact. He related that the reenactment is December 3<sup>rd</sup> and 4<sup>th</sup>, adding that he has talked to the Mayor about carpooling or possibly utilizing a City van. He noted that Saturday is a better day to attend because sometimes on Sundays things are starting to "scale down".

Alderman Barbara Mashburn with the Jacksonville Historical District noted that a business plan was submitted with her funding request. She stated that she would like for this to become self-sustaining but to get it there they are in need of help. She noted the recent acquisition of Jim's Pawn Shop (120 N. First Street) and found out that the roof was in need of replacement. She stated that they are requesting funds to replace the existing roof. She related that the property will turn into a City history museum along with a miniature train museum and a small coffee shop. She added that the coffee shop and the miniature train museum should sustain the City history museum. She stated that they are going to build a replica of a train depot which will have a café and will be self-sustaining.

She commented that she did not think the historical district should be funded by the City, although it is for the City and the citizens, adding that it should be self-sustaining and she thinks they can get it there but right now they are in need of a little help.

Warren Dupree, Jacksonville Museum of Military History Operations Manager, thanked the Commission for the funding they received in the past and hopefully for the future. He stated their hope and advisement from Municipal League attorneys that Issue 3 was going to address funding specifically the part that was thought to apply to this particular situation, an amendment to Article 12 Section 5 of the State Constitution that was specifically cited in the lawsuit which started to raise concerns and issues on this. It would be pointed out in terms of addressing economic development as Governor Hutchinson stated in his promotion of Issue 3, tourism was the number two item in terms of economic development for the State. He related that if there is anything the Commission could work out and come forward with, it would be greatly appreciated. He related that the Museum was able to come up with several large donations this year, adding that they increased their donations by approximately \$100,000.00. He stated that he did not know how long they would be able to sustain that but it is part of what the offset is and some of the things that they are looking at. He related a funding request was not offered for the Vietnam Veterans' event because of the "gray area" and the confusion. He then noted that the Commission has funded the event in the past, adding that he would remit a funding request for \$2,500.00 to \$2,600.00.

He stated that he did not know how long the Museum could sustain on the level that it is functioning at currently, adding that it has been a pretty "lean" year. He related that fortunately, there have been a couple of big donors "step-up" this year, adding that he was informed that it is not an infinite resource. He commented that anything that can be done will be greatly appreciated.

Alderman Elliott remarked that he appreciates all the extra effort and work that has been put forth to obtain funding, noting that the Museum is important to Jacksonville.

Nancy Hancock, Museum of Military History supporter, stated that in their military career they have visited many of the museums, the one in Dayton, Ohio, the opening of the Duxford Museum in England, and many others, adding that this one is comparable. She related that the Museum may not have the planes hanging overhead but it has a lot more that other museums don't have. She stated that if others knew about the Museum they would come. She related that she has spoken to several people who had no idea there was a museum and they lived on Base. She stated that she has been told sometimes there have been people from out of town waiting for the doors to open. She remarked that the Museum is a very important part of Jacksonville.

Commissioner Hurley stated that the Commission was in agreement.

**Commissioner Andy Patel moved, seconded by Commissioner Hurley to approve the budgeted expenditures of \$769,310.00 and to table \$35,000.00 in funding requests until the next meeting. Motion Carried.**

## **2. Nominations/Election of Officers for 2017**

City Attorney Bamberg opened the floor to nominations for Chairman and Secretary.

Commissioner Hurley nominated Alderman Ray for Chairman and Andy Patel for Secretary.

Receiving no other nominations, City Attorney closed the floor to nominations. He then called for a vote to approve the nominations of Alderman Ray as Chairman and Andy Patel as Secretary. (6) For (0) Against.

Alderman/Chairman thanked everyone for voting for him for another term.

### **ANNOUNCEMENTS:**

Recording Secretary Wilmoth read the announcements to include the Holiday Lighting Ceremony and the 59<sup>th</sup> Annual Jacksonville Christmas Parade.

Warren Dupree noted that on Sunday, December 11<sup>th</sup> in honor of the 75<sup>th</sup> anniversary of the bombing of Pearl Harbor, the Museum will host a lite lunch and movie starting at 1:00 p.m. and will be screening the movie Tora, Tora, Tora.

### **ADJOURNMENT:**

With no further business, Chairman/Alderman Ray adjourned the meeting at 7:03 p.m., next meeting December 19, 2016.

**CALL TO ORDER:**

The Jacksonville A & P Commission met in the regular meeting place of the Commission on Monday, December 19, 2016. Alderman/Chairman Ray called the meeting to order at 6:00 p.m. He then delivered the invocation and led a standing audience in the “Pledge of Allegiance”.

**ROLL CALL:**

Commissioners Jim Hurley, Billy Hall, and Alderman Elliott answered roll call. Chairman/Alderman Ray also answered roll call and declared a quorum. Present (4), Absent (3) Commissioners Dee Lawrence, Andy Patel, and Ray Patel were absent.

Others present for the meeting included: City Attorney Robert Bamburg, Recording Secretary Nikki Wilmoth, Finance Director Cheryl Erkel, Parks and Recreation Director Kevin House, Alderman Mashburn, Mike Kish, Danna Kay Duggar, and Warren Dupree.

**MINUTES:**

**Alderman Elliott moved, seconded by Commissioner Hurley to approve the minutes from the November 21, 2016 meeting as presented. Motion Carried.**

**FINANCIALS:**

Finance Director Cheryl Erkel presented the financial report for November noting total assets of \$535,156.00 of which \$251,456.00 are investments. She noted total liabilities of \$104,325.00. She reported total revenues of \$699,772.00 and expenditures of \$632,220.00, which is an excess of \$67,552.00.

She reported October hotel/motel gross receipts of \$220,611.00, which is a 2% increase regarding the year-to-date comparison and a 4% decrease regarding the current month comparison. She also reported prepared food tax gross receipts of \$3,323,423.00, which is an increase of 2% regarding year-to-date comparison and a 1% decrease for the current month comparison. She noted overall gross receipts of \$3,544,034.00, which is an increase of 2% regarding the year-to-date comparison and a 1% decrease for the current month comparison.

**Commissioner Hurley moved, seconded by Alderman Elliott to approve the financial report as presented. Motion Carried.**

**OLD BUSINESS:**

- 1. Tabled funding request for Jacksonville Historical District**
- 2. Tabled funding request for Jacksonville Museum of Military History**
- 3. Tabled funding request for Boys and Girls Club**

Commissioner Hurley noted that Alderman/Chairman Ray had requested an additional thirty days to come up with an alternative solution for funding, questioning if there was one.

Alderman/Chairman Ray replied “my way”, adding that he could not explain unless the items of business were removed from the table.

**Commissioner Hurley moved seconded by Commissioner Hall to remove all three items from the table. Motion Carried.**

Alderman/Chairman Ray stated that his solution, after discussions with the executive board of the Municipal League and others, is that with the size of Jacksonville and the budget there should be no problem with funding the entities that have submitted requests. He stated that the lawsuit is in reference to larger cities, noting that Jacksonville is a smaller city. He stated that the Commission should go ahead and fund the three funding requests in the amounts proposed at the last meeting which were: Jacksonville Historical District: \$5,000.00, Jacksonville Museum of Military History: \$20,000.00, and the Boys and Girls Club: \$10,000.00 for a total of \$35,000.00.

Commissioner Hurley questioned the Council’s decision regarding funding of the Boys and Girls Club.

City Attorney Bamburg replied that the Council’s opinion was opposite of his.

Alderman Elliott stated that the Council went against the actual funding of the Boys and Girls Club but went with a highly questionable maintenance contract.

City Attorney Bamburg noted that the law has not changed in the last thirty days and while he is appreciative of what Alderman/Chairman Ray said, Jacksonville is inclusive of any entity that is paying out money to a non-profit, whether a small or large city, Jacksonville is included. He stated that if the Commission agrees to fund these requests, it is against his advice and against the law.

Commissioner Hurley commented that even though it has been said before, he is a supporter of all three entities and would love to be able to fund each entity however, does not think it wise or prudent to get the Commission in a lawsuit or potential problem down the road, adding that he does not think there is much wisdom in that and it doesn’t seem right.

Commissioner Hall agreed.

Commissioner Hurley reiterated that Alderman/Chairman Ray had asked for an additional thirty days to “find a way”, adding that “finding a way” does not mean funding requests because the Commission would “love to”.

**Commissioner Hurley moved, seconded by Commissioner Hall to not fund the requests from the Jacksonville Historical District, the Jacksonville Museum of Military History, and the Boys and Girls Club.**

Alderman Elliott noted that with all of the funding requests being considered together and with having a conflict of interest by serving on the Boys and Girls Club Board, he will be abstaining from voting.

Commissioner Hurley commented that if that is the case, he is also on the Boys and Girls Club Board.

Alderman Elliott questioned that since the vote was for a denial of funding is it still considered a conflict.

City Attorney Bamburg noted that Alderman Elliott did not vote adding that he did not realize that Commissioner Hurley was also on the Boys and Girls Club board. That being the case, both Commissioners did the proper thing about discussing abstaining. He stated that the difficulty with abstaining is that with the limited number of commissioners present, if both commissioners abstain no action can be taken. He related that an abstention is proper whether voting for or against, adding that both commissioners are doing the proper thing by abstaining but it means that the Commission can't do anything tonight because there is no quorum regarding this issue. He related that the Commission has done what it has regarding the rest of the agenda because no commissioners had to abstain from voting but regarding this issue it is an abstention, which is basically a "no" vote but means no action taken. He explained that the issue "dies" because there has been no action taken by the Commission as a whole and there would be no way to vote on funding tonight.

**Motion dies for lack of a quorum.**

Finance Director Erkel related that during the last Council meeting, Boys and Girls Club CEO LaConda Watson gave a presentation and had stated that if 200 people gave a \$25.00 monthly donation there would be \$5,000.00 of revenue. She related that if the Boys and Girls Club can get 200 people to donate then maybe other organizations could do the same which would help with their expenditures.

Alderman/Chairman Ray noted that the Historical District is doing that now and it is presently up to \$3,000.00.

Warren Dupree stated that he was asked to compile some information regarding the Welcome Home Vietnam Veterans' event. He related that he was unable to get the information submitted timely for this meeting but would like for the request to be considered at the January meeting.

**NEW BUSINESS:**

**ANNOUNCEMENTS:**

**ADJOURNMENT:**

With no further business, Chairman/Alderman Ray adjourned the meeting at 6:15 p.m., next meeting January 17, 2017.