

CALL TO ORDER:

The Jacksonville A & P Commission met in the regular meeting place of the Commission on Tuesday, February 20, 2018. Councilman/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, David Bush, Jim Hurley, and Councilman Kenny Elliott answered roll call. Councilman/Chairman Reddie Ray also answered roll call and declared a quorum. Present (5), Absent (2), Commissioners Andy Patel and Billy Hall were absent.

Others present for the meeting included: Recording Secretary Nikki Wilmoth, City Attorney Robert Bamburg, Mayor Gary Fletcher, Councilman Les Collins, Finance Director Cheryl Erkel, Parks and Recreation Director Kevin House, Parks and Recreation Marketing Manager Marlo Jackson, Sells Agency CEO Mike Sells, Sells Agency Account Executive Kristen Burgeis, Warren Dupree, Sheryl Boyd, and Roger Sundermeier.

MINUTES:

Councilman Elliott moved, seconded by Commissioner Ray Patel to approve the minutes from the January 22, 2018 meeting as presented. Motion Carried.

FINANCIALS:

Finance Director Cheryl Erkel presented the financial report for January noting total assets of \$653,218.00 of which \$401,473.00 are investments. She reported total liabilities of \$1,214.00. She also reported total revenues of \$10.00, explaining the amount is interest earned from investments.

In response to a question from Commissioner Hurley, Director Erkel confirmed the certificates of deposit will mature this year, explaining she obtains bid rates before determining whether to renew. She further explained that certificates of deposit are purchased to where one will mature each quarter, adding they are usually purchased for six months to a year.

She then continued with the financial report noting total expenditures of \$2,279.00 with an excess of expenditures over revenues in the amount of \$2,269.00. She explained the majority of revenues received in January was for December and deposited into the accounts receivables account in January.

She reported December hotel/motel gross receipts of \$191,747.00, which is a 5% increase regarding the year-to-date comparison and a 17% increase regarding current month comparison.

She noted prepared food tax gross receipts of \$3,342,280.00, which showed no change regarding year-to-date comparison and a 2% decrease for the current month comparison. She noted overall gross receipts of \$3,464,440.00, which showed no change regarding year-to-date comparison and a 1% decrease for the current month comparison.

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

SELLS AGENCY REPORT:

Sells Agency Account Executive Kristen Burgeis related they have been working on updating blogs on the website saying they will continue to update them throughout the year. She noted a forthcoming article in Little Rock Family magazine that will feature Jacksonville in March. She stated the magazine is sending out e-blast teasers, explaining the magazine features cities in and around Little Rock. She related the features included in the article will be the Shooting Sports Complex, Reed's Bridge, Museum of Military History, Splash Zone, and some of the parks and trails. She stated these entities will first be featured in the e-blast and subsequently in the magazine.

In response to a question from Commissioner Hurley, Account Executive Burgeis replied the e-blast is sent out to anyone who subscribes to the magazine's email listing.

Sells Agency CEO Mike Sells noted that a majority of the magazine's readership is online.

CEO Sells stated from a marketing activity level, January and February has been slow, explaining they were waiting on the outcome of this meeting before doing too much for the year. He recommended, depending on where the finances fall, updates to hotel/motel and restaurant photography used in the Visitor's Guide, website, and ads. He explained there has been a lot of turnover in the restaurant business and if funds are available, they plan on doing a spring photo shoot to feature on the website and in an updated Visitor's Guide.

In response to a question from Councilman/Chairman Ray, CEO Sells replied the circulation of the Little Rock Family magazine is approximately 20,000.00 for the printed edition. He explained it is a monthly publication from the Arkansas Business Groups.

OLD BUSINESS:

1. Discussion Chamber of Commerce

Councilman/Chairman Ray welcomed Sheryl Boyd as the new Chamber of Commerce Board President and Roger Sundermeier, who is also a member of the Chamber of Commerce Board of Directors, who will be giving a presentation to the Commission.

Chamber of Commerce Board President Sheryl Boyd stated this is all new to her, explaining the Chamber of Commerce could really use some financial help to obtain a new executive director.

She stated it would be helpful to have more money to offer. She added in return, part of their role would be to help promote the City.

Councilman/Chairman Ray related a recent meeting with Chamber of Commerce representatives, adding that at the last Commission meeting there was discussion of committing \$35,000.00 towards the hiring of a new Chamber of Commerce executive director. He expressed his feeling that a benefit package should be offered, explaining he had the City's human resources director to put together a sample benefit package for consideration. He asked the Commissioners to support the Chamber of Commerce by providing additional financial support to hire an executive director. He stated after the executive director is hired, he would like for the executive director to provide a monthly report to the Commission.

Commissioner Hurley questioned if there was a job description.

Roger Sundermeier stated they did not want to give the appearance of "being on hands and knees begging for money", while there is a certain amount of that, there are also some things the Chamber of Commerce needs to supply to the Commission in return. He related they would partner with the Sells Agency, with what they are doing from an external standpoint, there are a lot of opportunities that are available internally that the Chamber of Commerce feels has been overlooked. He stated they could help the Parks and Recreation Department with FestiVille, the Christmas parade, and the ownership of it from an advertising and promotion standpoint to really drive home and reinforce. He added the Sells Agency does a really great job of bringing people into Jacksonville but there are also 28,000 people who are choosing Jacksonville on a daily basis, which is where he feels the Chamber of Commerce's job comes into play. He stated it is their job to not just lead a business community but also from a quality of life standpoint.

Commissioner Hurley questioned if this person would be working with the Sells Agency to market and promote.

Roger Sundermeier replied affirmatively, explaining in the short-term he would be the person who would be working with the Sells Agency to market and design some pieces for internal campaigns. He stated for example regarding the feature in Little Rock Family magazine, while it is great that it is going to be e-blasted, it should also be provided to the Chamber of Commerce so it can be placed on social media and sent to all of their members. He related there are a lot of possibilities for partnerships but someone needs to carve out some individual pieces that the Chamber of Commerce has in the past gotten away from for whatever reason but quite honestly should be working with the Commission. He stated in the short-term he will be helping to work on some materials but he will not be the next executive director. He related that being a life-long resident of Jacksonville and wanting to give back to the City in whatever way, all of us as business owners and residents should be trying to find ways to give back and "plug in". He stated they would like to offer true chamber of commerce services, not just to the business community but also quality of life by working with Parks and Recreation staff.

He asked what does Parks and Recreation need support with that the Chamber of Commerce could do to “fill in the gap” that the Sells Agency can’t or doesn’t have time for or wants to do. He asked how the Chamber of Commerce supports everyone’s efforts for a real partnership with the City, Commission, and the Chamber of Commerce.

Commissioner Hurley questioned if there was an updated job description available, explaining at the last meeting there were two or three different ones.

Discussion ensued concerning which one was the most current.

Mr. Sundermeier stated from a reporting standpoint he hoped to enter into a contract for services to be provided and every month a point by point report could be given much like the Sells Agency is providing presently.

Commissioner Hurley asked City Attorney Bamburg if this is something the Commission could do.

City Attorney Bamburg replied it depends on how the Commission is going to do it, explaining the Commission can’t act as a subsidy for the Chamber of Commerce’s operations, there has to be a contract for services, there has to be specific action, and the job description would have to be modified, it is not satisfactory. He continued, to satisfy what the law mandates the Commission’s funds has to be spent on, this is dangerous territory. He stated he is not comfortable with it, adding he can draft a contract depending on what the Commission instructs because he doesn’t make the decision, the Commission does.

Commissioner Hurley questioned if a contract could be drafted that he would be comfortable with.

City Attorney Bamburg replied he would draft a contract that will protect the Commission as best he can.

Councilman Elliott stated there is a need to get some “positive” going by getting the Chamber of Commerce, City, and A & P Commission working together again to promote the City. He stated the Mayor has been working to find a way to create a partnership to get everyone working together again.

Commissioner Hurley agreed, adding he could not be more supportive of that but in light; the Commission still has to consider the lawsuit that has tied the Commission’s hands as to what can and cannot be done with its funds. He added from a legality standpoint, it scares him a little bit that if the Commission does certain things that shouldn’t be done, he has been told, that they can come back and the funds would have to be refunded from day one.

Councilman Elliott stated there would need to be a contract for services.

Mr. Sundermeier stated he is only familiar with what he has read on Twitter. He questioned with Amendment Three’s passing, which states that it does allow for non-profits and chambers of commerce to enter into contracts for services, where is the gray area so it can be cleared up.

Commissioner Hurley commented he has also seen articles where other advertising and promotion commissions and other municipalities have done certain things that based on his understanding the Commission can't do. He added to error on the side of caution, he is one hundred percent for that.

City Attorney Bamburg replied Amendment Three modified and allowed for the contract of services, was very specific regarding what was required and what would justify or protect an allocation for public monies to a private or non-profit but they are very particular when it comes to chambers of commerce because they do not want it to become a general subsidy and that part of the law never changed; it cannot be and when it is specific in that nature in the law as well as in the way that it has been interpreted with the case law that has happened regarding advertising and promotion money, he is just telling the Commission that it is not a "black and white" area, it is a very gray area, and he does not want Jacksonville to be the experimental process in court over something of that nature. There are advertising and promotion commissions elsewhere doing things much broader with their money, commenting he would not want to represent them.

Mr. Sundermeier offered he has spoken to others who have stated that if discovered, they would have to shut their doors and leave town. He added they don't want that, which is why they want to work with the City from a legal standpoint to develop an iron-clad contract but to still give an optimal return to the Commission.

CEO Sells offered that outside of attorneys, the one person who has as much experience with this issue is Montine McNulty, who is the executive director of the Arkansas Hospitality Association. He stated that Ms. McNulty is a resource for advertising and promotion commissions across the state to make sure they are doing things the way they are supposed to. He related he received a phone call from Ms. McNulty a week ago regarding an advertising and promotion commission they represent, explaining that Ms. McNulty read something the commission had done in a newspaper article and stated the commission could not do that. She wanted to know how to get into contact with someone on the commission to explain to them that they are going to put every other advertising and promotion commission at risk. He noted Ms. McNulty is up-to-date on what advertising and promotion commissions could and could not do and recommended the Commission contact her to obtain her opinion regarding this issue. He added that Ms. McNulty has expertise and a lot of experience in this area that would really be helpful and she would be a great resource the Commission could utilize.

Councilman/Chairman Ray commented he would have an opportunity to speak with her next month. He recommended authorizing City Attorney Bamburg to draw up a contract with the Chamber of Commerce for additional discussion if amenable.

City Attorney Bamburg replied "not really", explaining he does not know what the Commission wants the Chamber of Commerce to do. He continued saying he has got to know what the Commission wants and expects the Chamber of Commerce to do in order to put those terms into a contract, adding someone has to provide him with that information, whether it is in this meeting or at some other time.

Mayor Fletcher offered that he thought Amendment Three was to deal with the original issue; that Little Rock and North Little Rock couldn't deal with the chamber. He said he thought Amendment Three was for that purpose to allow for that but was too broad, adding the legislature was to address the parameters on how to do it. He stated his feeling that the vague thing is the Commission could contract but there has to be benchmarks to prove the money is not a donation. He recalled Judge Pierce said benefit has to be shown. He expressed concern while the Chamber of Commerce represents businesses; we live in a world where social media creates this big perception that everything we try to do positively, social media views negatively. He stated while the Sells Agency tries to bring people into Jacksonville, we have a job to sell Jacksonville to Jacksonville, adding that of course Jacksonville people are not going to be staying in the area hotels but they do eat in the restaurants. He said we have to sell our community, adding he doesn't know if the Chamber of Commerce is the most likely person to sell our community to our people. He stated years ago, the Chamber of Commerce had a slogan he loved and it was abandoned, which was "shop Jacksonville first". He related the need to educate people regarding the importance of spending their money here and what it means to them. He stated when he goes to Outback; he is supporting their police and fire departments and everything else. He added that as City officials we have the job of passing a budget with quality of life aspects plus public safety departments and it's getting harder and harder. He just didn't know if good job has been done of educating people that charity starts at home. He related that he hasn't had the best relationship with some key people within the Chamber of Commerce in the past, adding a three-legged stool, if it will make a stronger community, with the Chamber of Commerce, City, and the A & P Commission working together a little bit, again he is not for a donation, but there are some things that could contract that would be a win-win situation. He is not going to tell the city attorney to do something that is illegal but he has the mentality that if you can't go into the front door then show him a back door to get into the house legally.

Councilman/Chairman Ray suggested that the Commission enter into a contract with the Chamber of Commerce to hire an executive director and the Chamber of Commerce will be responsible for reporting to the Commission on a monthly basis, adding he would like to have a Commissioner to sit on the interviewing committee during the hiring process and let that be a legal binding contract with the Chamber of Commerce.

Commissioner Hurley remarked that it was "putting the cart before the horse" because someone is going to have to get with City Attorney Bamburg to write up a contract that he is as comfortable with. He offered that years ago he voted against City Attorney Bamburg's advice and said he would never do it again and hasn't done it to this point. He said he wants the City Attorney to have a certain comfort level before he is willing to proceed with anything, adding this is a fine working paper but doesn't really cover it and it needs to in a format that the City Attorney is comfortable with. He added he is all for the idea and thinks it is a great idea and wants to vote for and support it, but if the City Attorney is not comfortable with it then he is not comfortable with it. He said that is what the Commission is paying him to do to, to advise and keep the Commission and the City out of trouble.

Mayor Fletcher offered to add to what the Councilman/Chairman Ray said, there has got to be a service that this group is providing this group or then it is a donation.

Discussion ensued.

Councilman/Chairman Ray stated that all he is asking is to get the process started.

In response to a question from Councilman Elliott, City Attorney Bamburg reiterated that whether it is during this meeting or later he needs someone to provide him with what is expected from the Chamber of Commerce and what they expect to get in return before he can draft up something. He said he could make a lot of stuff up but he didn't think they wanted to leave it just to what he creates. He stated he needs to create it as close to what the reality is going to be in as best a manner as he can completely. He said that at this point, he does not have enough information to put something together. He noted the job description does not address what the statute and constitutional provisions require, adding he can work off of what is listed however, there is going to be a lot of additions and deletions from it.

Mr. Sundermeier said the job description provided was simply to start a conversation and lists what the Chamber of Commerce is looking for in a person. He related they brought it to the Commission so that the Commission could provide the benchmarks, deliverables, and what expectations the Commission needs to see delivered from them and to have reported on a monthly basis to justify the investment being made to the Chamber of Commerce. He said this is basically a generic job description that really has no "teeth" in it. He stated they are leaning on the Commission to help craft a description based on the Commission's needs that are realistic and does not overstep the bounds of what is done by the Sells Agency toward more cohesion and conjunction going forward so the Commission feels comfortable the funds are not being given as a "love offering" but has some return.

Commissioner Hurley stated the key is to working together with the Sells Agency as a partnership, external and internal. He added that he does not know how to determine benchmarks.

Mr. Sundermeier stated regarding FestiVille you can't say that attendance is going from "x" to "y" however; they can take the load off of the Parks and Recreation Department by having banners printed and other marketing materials to where you guys serve in a support role versus being the lead dog.

Commissioner Hurley moved to proceed with the development of a contract with the Chamber of Commerce to hire an executive director that the City Attorney is comfortable with, Councilman Elliott seconded, Motion Carried.

Councilman/Chairman Ray asked City Attorney Bamburg to set up a meeting to work out the details of this contract.

Mayor Fletcher asked City Attorney Bamburg if the position could be expanded to a director of tourism as well and to somehow tie it to a tourism deal.

City Attorney Bamburg replied that “tourism” is not what the Mayor is looking for; he is looking for “economic development” according to everything that has been said.

Commissioner Hurley asked if the Commission could look for “tourism” and be legal.

City Attorney Bamburg replied it can be combined together or whatever if that is what the Commission wants to do, adding he needs to know what direction the Commission wants to take before he can draft up a contract.

Mr. Sundermeier stated they did not want to be too fixated on economic development. He said to him the Chamber of Commerce needs to adapt and grow with the times. He related that back in the older days you wanted to build a fence around the business community and everyone wanted to spend their dollars here. Now with social media and digital platforms there are a lot of people who don’t really need Chamber of Commerce services because they can build their own platforms or social media. He said the Chamber of Commerce’s responsibility in addition to recruiting, retaining, and providing valued business members is also the quality of life aspect and that is where the Mayor comes in with the tourism topic. He added the Chamber of Commerce needs to be helping with baseball tournaments and helping the Sells Agency with any internal materials they can help provide to free them up to continue to do external advertising. He stated it is about quality of life and the business community falls into that. He offered that to him it is not so much about going to Las Vegas and bringing in fifteen new businesses, they need to make sure the businesses that are currently here are as successful as possible. He said the Chamber of Commerce working with the Sells Agency is where that synergy comes from.

In response to a question from Commission Hurley, City Attorney Bamburg replied he has already told the Commission the job description is not going to work as it is. If that is the focus the Chamber of Commerce wants to provide services on, the description would have to be drastically modified and he is going to have to figure out a way to make it work under the law because that is not what the Amendment Three modification is for. He explained Amendment Three’s modification is for economic development services and none of what Mr. Sundermeier mentioned is economic development services. He said we have to work within that parameter and what the advertising and promotion statutes say, adding he doesn’t think this form is going to get us there to be blunt and he doesn’t think there needs to be additional time spent on that part of it. He offered he would meet with the Commission’s representatives to get their information and then meet with Chamber of Commerce representatives to try to put something together.

2. Sells Agency budget line item

Councilman/Chairman Ray noted the Sells Agency line item was reduced from \$110,000.00 to \$55,000.00, adding he has received information that the Sells Agency was dynamite in promoting FestiVille, Parks and Recreation, and other entities. He stated that he would like to amend the budget and increase the line item by \$55,000.00 to \$110,000.00.

Commissioner Hurley questioned if action needed to be taken at this meeting.

CEO Sells stated they would not be spending the current amount prior to July, explaining they do need to put together a media plan and knowing what the budgeted amount is helps in the planning process.

Councilman/Chairman Ray called for a motion.

Councilman Elliott said he is comfortable leaving the amount as is until the Commission figures out what it is trying to do.

3. City billboard update

Councilman/Chairman Ray stated visibility is diminished when traveling down Hwy 67/167 due to construction.

Recording Secretary Wilmoth reported the billboard contract, with approval from the Mayor's office, has been canceled. She explained Lamar was unwilling to negotiate cost or contract length. She related the focus will be on social media as a replacement, adding that Mayor Fletcher has also had a discussion with a vendor regarding a digital billboard.

Mayor Fletcher stated there are eight slides on a digital billboard, adding the vendor who originally approached him as not returned. He stated there is nothing that would hamper the Commission from addressing a billboard contract again later in the year, adding the billboard is low and the highway is higher.

Councilman/Chairman Ray stated he is constantly traveling and relies on billboards to provide options of where to stay and eat. He said at some point, we need to keep our billboard.

Mayor Fletcher noted the billboard is more informational for Parks and Recreation and Waste Water.

Recording Secretary Wilmoth commented the area floods and when it does Lamar cannot get to the billboard to change the wrap which has a cost of over \$500.00 each.

Councilman Elliott suggested re-evaluating this issue later in the year.

NEW BUSINESS:

Councilman/Chairman Ray acknowledged the recent award given to the Parks and Recreation Department for hosting 529 teams.

CEO Sells offered they will bring a \$55,000.00 and \$110,000.00 media plan to the next meeting for consideration.

ANNOUNCEMENTS:

Warren Dupree stated the Museum's annual fund raiser will be held on March 10th at the Community Center.

ADJOURNMENT:

With no further business, Councilman/Chairman Ray adjourned the meeting at 6:49 p.m., next meeting Monday, March 19, 2018.

CITY OF JACKSONVILLE, ARKANSAS
Advertising and Promotion Commission



A & P Commission
Regularly Scheduled Meeting
April 16, 2018

CALL TO ORDER:

The Jacksonville A & P Commission met in the regular meeting place of the Commission on Monday, April 16, 2018. Councilman/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, David Bush, Jim Hurley, Billy Hall, and Councilman Elliott answered roll call. Councilman/Chairman Ray also answered roll call and declared a quorum. Present (7), Absent (0).

Others present for the meeting included: Recording Secretary Nikki Wilmoth, City Attorney Robert Bamburg, Councilman Mike Traylor, Finance Director Cheryl Erkel, Parks and Recreation Director Kevin House, Parks and Recreation Marketing Manager Marlo Jackson, Sells Agency CEO Mike Sells, Sells Agency Account Executive Kristen Burgeis, Warren Dupree, Sheryl Boyd, Roger Sundermeier, Patrick Thomas, Jay Hartman, Dustin Cole, Steven Pawloski, Mike Wilson, and Laconda Watson.

MINUTES:

Commissioner Andy Patel moved, seconded by Councilman Kenny Elliott to approve the minutes from the February 20, 2018 meeting as presented. Motion Carried.

FINANCIALS:

Finance Director Cheryl Erkel presented the financial report for March noting total assets of \$693,459.00 of which \$402,635.00 are investments. She reported total liabilities of \$60,921.00, explaining the amount is due to the Parks Department from January and February collections. She noted revenues of \$122,785.00 and expenditures of \$41,914.00. She reported an excess of revenues over expenditures in the amount of \$80,872.00.

Commissioner Andy Patel confirmed that the Parks Department due to amount would decrease the excess revenue reported.

She reported February hotel/motel gross receipts of \$160,207.00, which is a 14% decrease regarding the year-to-date comparison and a 28% decrease regarding the current month comparison. She stated hotel/motel revenues were in line with the amounts received in January, explaining there were only two hotels who collected less than they collected in January which were Days Inn and Sands Motel, adding they were not too far off. She related that last year, Super 8 doubled their receipts in February when compared to their January receipts, saying she was unsure what event prompted such an increase. She stated this is why there is such a discrepancy between last year and this year.

She noted prepared food tax gross receipts of \$2,877,512.00, which is a 7% decrease regarding the year-to-date comparison and an 11% decrease for the current month comparison. She said there was nothing outstanding regarding revenues however; there were four restaurants who had not reported for February at the end of March. She noted Thai Taste, J. Gumbo and a couple of other restaurants closed along with CM Smoke, who has since re-opened. She noted overall gross receipts of \$3,037,719.00, which is a decrease of 8% regarding year-to-date comparison and a 12% decrease for the current month comparison.

In response to a question from Commissioner Andy Patel, Director Erkel replied revenues are down in part due to the highway construction.

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

SELLS AGENCY REPORT:

Sells Agency CEO Mike Sells related they are presenting three media plans, one based on the currently approved budget and two additional ones for consideration should the budget be revised.

Sells Agency Account Executive Kristen Burgeis noted the first plan includes a \$45,000.00 proposed media spend, explaining approximately \$25,000.00 will be out of market mostly in Northeast Arkansas where there has been a lot of traffic received. She stated approximately \$20,000.00 will be used for local branding promotion. She said out of the \$55,000.00 approved, \$45,000.00 will be used for paid advertising and out of the remaining \$10,000.00, \$6,000.00 will be used for public relations and marketing, which is an ongoing effort throughout the year. She continued saying approximately \$4,000.00 has already been spent this year getting plans together, reprinting brochures, blog posts, and efforts that have already happened. If the Commission elects to move forward with the \$55,000.00 media plan, there will only be approximately \$6,000.00 remaining for public relations and/or marketing.

CEO Sells noted the second media option for \$110,000.00 would take the advertising spend up to \$75,000.00 with \$26,000.00 primarily spent in the Northeast Arkansas market and some in Central Arkansas. He related this option increases the end-stream video by extending the number of weeks in the summer and fall. He stated online research and websites are where traveling planning starts. He provided a website statistical report reflecting an increase in website traffic that was directly related to the online video ads run during the summer months. He said hotel receipts reported in June and July of last year were the highest reported in six years. He explained this is the rationale behind the extension of the end-stream video purchase. He stated this option would add \$16,000.00 of marketing support for FestiVille, which is a good opportunity spend, explaining that with the recent changes in the Central Arkansas festival market, this is a good opportunity for FestiVille to grow. He noted there is a \$20,000.00 spend for branding in the larger Central Arkansas area, saying Jacksonville is a great place to work, grow, live, visit and eat.

He continued saying the remainder of the budget would go to videography, some photography if needed, Visitor's Guide updates, development and public relations' activities. He stated they would also incorporate an "eat local" campaign, explaining that it would be a digital ad buy geo-fenced specifically to Jacksonville and the immediate surrounding area. He explained it would be promoting area restaurants and the restaurant scene in Jacksonville to encourage residents to eat more frequently in Jacksonville. He stated they did some research on Yelp regarding restaurants around town, explaining one of the ways young people decide where to eat is to use Yelp or other similar apps to obtain restaurant reviews. He noted there are a fair number of restaurants in the area that have 4.5 to 5 stars. He stated his feeling that the perception from area residents is if they want to go out to eat, they have to go to chains in Sherwood or North Little Rock. He noted the Commission collects the majority of taxes from the restaurants, explaining the idea is to encourage residents to stay local when they eat out. He commented if they can get everyone who eats out ten or more times per month to eat in Jacksonville one more time instead of taking their money down to Little Rock or North Little Rock, the prepared food tax revenues would see a significant positive increase. He explained their video team would visit area restaurants to talk with the owners and chefs, which would then be incorporated into online video and display ads. Overall, this option would incorporate the "eat local" campaign but would take away from some of the advertising in Northeast Arkansas but would also include advertising for FestiVille.

In response to a question from Commissioner Andy Patel, CEO Sells replied the budget was \$110,000.00 last year and approximately \$80-85,000.00 was spent.

Commissioner Andy Patel noted the budgeted amount was originally \$150,000.00 and has been decreased through the years. He stated he does business in other cities, questioning how Jacksonville can compete, when the Sherwood to North Little Rock corridor is continuing to build new chain restaurants. He questioned how to justify spending that amount on marketing and advertising when surrounding cities are continuing to grow.

CEO Sells replied when discussing the hotel business, there are people who are going to come because they either have family or business in the area. He expressed his feeling that the ongoing construction may have diverted a few of them. He stated their belief that the best targeted audience for hotel business is the incremental increase that can be gained from Northeast Arkansas. He explained that there are a lot of people who live there who are looking for value and do not like Little Rock. He stated last summer when they did a campaign that invited them to come to Jacksonville and emphasized the closeness to Little Rock and the value that Jacksonville provides, hotel business increased. He expressed his belief that in order to get people to come to Jacksonville, they have to be invited, and we have to say we want them here, which is part of marketing.

Commissioner Andy Patel commented he wants to see more restaurants within walking distance.

CEO Sells replied that it is why they are presenting the "eat local" campaign. He asked the Commissioners to imagine a ten percent increase in the restaurant receipts, if the campaign were to take root and people were to get behind it.

Commissioner Andy Patel commented that 85-90% of the revenue received by the Commission is derived from the prepared food tax.

Councilman/Chairman Reddie Ray related the Sherwood frontage road construction has been completed which has contributed to the increase. He stated his feeling that the same will occur in Jacksonville. He noted the Commission approved \$55,000.00 however; he reminded everyone that at the last meeting, he discussed increasing the budgeted line item back to \$110,000.00. He stated the Sells Agency was bringing forth a preliminary report, adding he is not looking for a final decision this evening.

Commissioner Andy Patel remarked that there is more construction that will be going through town which will affect revenues, questioning if the budgeted line item will be sufficient. He explained with revenues down 28%, the Commission has to be very selective on spending.

CEO Sells agreed, commenting that those were shocking numbers. He stated that it is why they made a strategic recommendation regarding whether to include FestiVille support or the branding campaign in Northeast Arkansas to get people to come to Jacksonville and stay. He related their decision was with the limited resources, it did not make sense to place such a large portion of the budget toward one weekend that is at its' core primarily for locals. He stated if the event is promoted and run well, which it is already; it will become more successful and could potentially become a regional draw. He said this is why they chose not to include FestiVille in the smaller budget but to continue to invite people to come to Jacksonville and to tell them what is good in Jacksonville.

Councilman/Chairman Ray remarked that at the Governor's Conference on Tourism, they were encouraging cities to have festivals and concerts.

Councilman Elliott thanked the Sells Agency for the detailed information regarding each plan.

CEO Sells questioned if they should proceed with the media plan presented for \$55,000.00.

Councilman/Chairman Ray told the Sells Agency to go ahead with the media plan for \$55,000.00.

Commissioner Andy Patel questioned the lack of funding for FestiVille.

Discussion ensued and it was noted that funding could be considered at a later date.

OLD BUSINESS:

1. Discussion Chamber of Commerce

Councilman/Chairman Ray related that at the last meeting there was discussion of a job description. He added there is a job description included in the Commissioner's packets for consideration. He noted that City Attorney Bamberg has not had the opportunity to review this document.

City Attorney Bamburg clarified that it is not a job description but a proposed contract, explaining he has already told the Chamber of Commerce that it is not relevant to the circumstances of the Commission because it is based on a contract between the City of Little Rock and their chamber of commerce. He continued saying the fund that the City of Little Rock uses to pay the Little Rock Chamber of Commerce is markedly different than the funds that the Commission has available.

Councilman Elliott questioned what would not apply to the Commission.

City Attorney Bamburg replied there are a number of things; it depends on which direction the Commission wants to go, adding he is still asking that question and has not gotten a clear answer whether the Commission wants to focus on tourism, economic development, or a combination of the two. He stated he can't seem to get anyone to tell him that, explaining he can't draw up a contract if he doesn't know what it is for.

Councilman/Chairman Ray said he thought it was a combination of both, tourism and economic development.

Councilman Elliott stated it was not economic development but advertising and tourism.

Councilman/Chairman Ray remarked "that is what is stated within the contract".

City Attorney Bamburg commented that is why he stated it is not relevant, explaining it depends on what pool of money that is going to be used. He noted the Commission does not have control over economic development funds, adding the Commission only has control over tourism, promotion and advertisement. If that is what the Commission is going to work on, that is good, please let him know the scope and he will draft something up. If the Commission wants to focus on economic development, the Commission will have to go to the City Council for approval of that because the funds used for economic development that have been approved by legislative action, and not thrown out by the courts yet, has to come through city funds and not advertising and promotion funds.

Councilman Elliott offered he did not think this was talking about economic development, he thought it was talking about advertising and promotion and tourism.

City Attorney Bamburg replied "it has a mixture of both".

Councilman Elliott commented that all the Commission would have to do would be to "strike out" economic development.

City Attorney Bamburg remarked that it was not that simple, adding that he wished it was.

Councilman Elliott questioned what the Commission needed to do, adding this has been going on for so long.

City Attorney Bamburg replied the thing he is asking, and has been asking for a long time, is for the Commission to tell him what they expect the Chamber of Commerce to do and then he needs the Chamber of Commerce to tell him what they are going to do of those things, and the Commission will need to tell him how much money, so he can draft a contract. He stated he cannot draft a contract when he does not know what is expected on either side. He continued saying he cannot mix it from economic development and advertising and promotion unless the Commission is going to have control over a different pool of money over what the Commission currently has.

Councilman/Chairman Ray stated regarding the Commission's funds, the discussion was for \$35,000.00. He stated that out of the \$35,000.00, if the Commission goes on record to approve the expenditure to the Chamber of Commerce, what legal part can City Attorney Bamburg put in to say, "this is in support of the Chamber of Commerce" and for the Chamber of Commerce to provide a monthly report to the Commission on their progress.

City Attorney Bamburg questioned what the Chamber of Commerce is going to do for \$35,000.00.

Councilman/Chairman Ray replied they are going to hire a director.

City Attorney Bamburg stated that by itself is not going to do advertising and promotion and the Commission can't pay general obligations.

Councilman Elliott concurred, adding that in the contract it does discuss the things that the Chamber of Commerce is willing to do in reference to promotion such as dealing with the Christmas Parade and those kinds of things.

City Attorney Bamburg noted those are things they formerly did but turned them over to the Parks Department, explaining the Parks Department has been doing them for the last few years. He questioned if the Commission is pulling those activities away from the Parks Department to pay the Chamber of Commerce to do it.

Councilman Elliott stated it would be the overall package to have the Chamber of Commerce do all of it. He added there are some included things that would have to be modified such as the Community Center and the Shooting Range.

Councilman/Chairman Ray commented that it could free the Parks Department to do other things.

City Attorney Bamburg reiterated he needs to know what the Commission wants done with the money so that he can draft a contract to satisfy that as close as he can. He asked the Commission to realize, as he has said before and as Mr. Wilson's lawsuits have proven, these kinds of expenditures are very questionable and the Commission has got to be really, really careful.

Councilman/Chairman Ray stated that while it doesn't show in the minutes, he stated in the last meeting to tell him a date when everyone can sit down and develop a contract with the Chamber of Commerce, to bring all of this to the top of the table in a legal form to be signed.

City Attorney Bamburg stated he is not going to be able to sit in a room and let everyone discuss and have a contract available at the end of the conversation, adding that it is not possible. He reiterated, as he has told the Commission on many occasions, tell him what the Commission wants and then let the Chamber of Commerce tell the Commission what they are willing to do, and let him have the language and then everyone meet about it. He continued saying he has to have the language or the ideas first or he can't draft something up.

Councilman/Chairman Ray asked what about the proposed contract included in the packet.

City Attorney Bamburg replied it is an agreement between the City of Little Rock and the Little Rock Chamber of Commerce, payable out of economic development funds. He continued saying that it is comparing apples to chocolate.

Councilman Elliott questioned if City Attorney Bamburg could take the proposed contract and modify it to meet the needs of the Commission.

City Attorney Bamburg replied that if he knew what the Commission wanted, yes he could but he can't because he doesn't know what the Commission wants, adding he has told the Commission that time and time again.

Councilman/Chairman Ray stated he has told City Attorney Bamburg he wants to pay \$35,000.00.

Councilman Elliott said for promotion and marketing for the City of Jacksonville. He said if someone doesn't sit down with a meeting, and entail, then how are you going to know what to do.

City Attorney Bamburg stated he said he would meet when available to do that but he has yet to have that opportunity because no one has asked for a meeting to take place. He stated that all he gets are promotes of contracts, that he doesn't get sent, that get sent to Recording Secretary Wilmoth, who was kind enough to let him know about it, on a contract that he has already told the Chamber of Commerce did not apply because of the difference in funding. He continued if somebody could tell him what the Commission wants, he can try to draft a contract but he can't make it up. He added he doesn't know what the Commission wants to do because he doesn't even know if the Commission knows what it wants to do.

Councilman/Chairman Ray asked what was wrong with what he just said.

City Attorney Bamburg stated to tell him what specific event or activities the Chamber of Commerce is going to do.

Councilman/Chairman Ray said he wants \$35,000.00 and he wants the city attorney to put legal aspects around it so that he can present it to the Commission, to contribute \$35,000.00 in support of the Jacksonville Chamber of Commerce for parks and tourism, economic development, if illegal take it out, and put parks and tourism in if that is what has to be in it. He remarked he didn't care what the city attorney has to put in it to make it legal just make it legal so the Commission can carry on.

City Attorney Bamburg commented “the minutes that are going to be made off of this meeting are going to kill us if we ever get sued”.

Councilman/Chairman Ray stated the city attorney has told us that but it isn't doing any good now, we need to just die then.

Sheryl Boyd, Chairman of the Chamber of Commerce Board of Directors, stated she came before the Commission two months ago and they were given the task, she thought, of coming up with a contract. She stated she did email City Attorney Bamburg and he did not have time so she found someone who could and this is the contract they have to present to the Commission.

City Attorney Bamburg replied that was not correct, explaining he emailed her after both contracts were reviewed telling her they were not a valid comparison and that if we needed to work on something to let him know what they wanted to do.

Ms. Boyd stated that she said “name the time and she would be there”, adding there are emails to prove it.

City Attorney Bamburg stated he knows what the emails said and he also knows that no one has met and no one has had the opportunity.

Ms. Boyd stated he doesn't have time.

City Attorney Bamburg agreed that he is very busy, no question, but all he needs to know is what everyone wants. He stated he can't make up a contract, explaining he has got to have the terms of what everyone wants. He continued what is stated in the proposed contract cannot be done as written, adding he has told the Chamber that before.

Ms. Boyd commented she feels they are saying what they want, adding that FestiVille was just discussed, let them help. She stated they want to help with FestiVille, the Christmas Parade, and to help promote Jacksonville. She continued they want everyone to work together and be all a part of one team working together to make this a better place.

Councilman Elliott asked if Councilman/Chairman Ray could set up a meeting with the Chamber of Commerce where everyone could sit down and finalize the specifics of what to put in the contract.

Roger Sundermeir, former Chairman of the Jacksonville Chamber of Commerce, stated that to reinforce Ms. Boyd's point, he has been a part of these conversations as well, and realizes that City Attorney Bamburg has a lot of things going on right now, but it has been difficult when they have asked for him to help mediate a conversation or give some guidance and they are “push off” and told that he can't do that. He stated they really wanted to keep this ball moving to everyone's mutual benefit and that was why they asked Mr. Wilson if he could help them to draft some contract verbiage, adding he trusts Mr. Wilson's legal integrity pretty well too. He continued saying they felt that what was presented this evening was a pretty accurate representation of what could hold up in a court of law. He stated if it goes down to the economic development part, scratch it out.

He said they were trying to find things that were going to bring value, and as they said before, they want to work in concert with the Sells Agency, this is not to work against them at all. He continued that the Sells Agency is an external approach and they are an internal approach. He related there are 28,000 people who are not choosing Jacksonville every day and that is part of the Chamber's fault as well. He stated they are here to say it is beyond time to work together with the City, the Commission, and the Sells Agency to get this ball rolling with a lot of synergy to get our own residents choosing to go FestiVille. He continued saying we wouldn't have to invest a lot of dollars externally to bring people in, we could have Jacksonville residents going to FestiVille, or the Christmas Parade, or to area restaurants. He stated they want to work hand-in-hand with everybody and they were just looking for help regarding legal guidance and they felt that they weren't getting that in a timely fashion do to a lot of different things that are on the city attorney's plate as well, and that is why they were working with Mr. Wilson to bring this contract to the Commission tonight, hoping they could get some kind of closure to move forward for everyone's benefit.

Councilman/Chairman Ray related that half of the cities in Arkansas, their advertising and promotion commissions are illegal, explaining they are doing some things through the loophole in the law, and they are getting away with it. He said that's the one thing he is campaigning for because he sees them getting away with it. He stated the question was asked during the Governor's Conference on Tourism, the answer was "mums the word" because they are not supposed to be doing it. He said that he could understand City Attorney Bamburg's point; that he is trying to make sure that Jacksonville is on point, but a lot of cities are not complying with the law they are thinking, like he is thinking, that there is a loophole in the law and they can get away with it. He continued saying he sees them advertising all of the time this advertising and promotions commission is getting millions of dollars to here and thousands of dollars to here and they are saying that it is not really right and nobody is challenging it. He then stated he is going to set up a meeting with the Chamber and the City Attorney, if he has time, to see if this can be ironed out. He said he hates to go another month but it is going to be another month. He continued if he can do this before the next meeting, he would like to have a special meeting questioning if everyone would agree to a special meeting if he can work everything out.

It was the consensus of those present to agree to attend a special meeting if called.

2. \$452.20 approval for food cost for "A Night at the Victory Canteen" event

Recording Secretary Wilmoth related the invoice for the food cost for "A Night at the Victory Canteen" event was \$452.20 higher than the \$3,150.00 that the Commission approved. She noted that since the invoice had to be paid prior to the meeting, Councilman/Chairman Ray verbally approved the expenditure, explaining the difference was being formally addressed at this meeting.

Councilman Elliott moved, seconded by Commissioner Andy Patel to approve the additional expenditure of \$452.20 to N & N Catering for "A Night at the Victory Canteen" event. Motion Carried.

NEW BUSINESS:

1. \$500.00 funding request Jacksonville Clean-Up Day

Commissioner Hall moved, seconded by Commissioner Bush to approve the expenditure of \$500.00 for the Jacksonville Clean-Up Day. Motion Carried.

2. \$23,800.00 funding request concert

Jacksonville Parks and Recreation Director Kevin House stated he also attended the Governor's Conference on Tourism and several of the sessions were related to music and how it brings tourism to town. He related that two weeks after the conference, he received a call from Tiger Insurance, who had already started working on putting this concert together, which was going to be held in North Little Rock. He continued saying that North Little Rock Parks was going to be the ones promoting this and putting it on and the ball got dropped, explaining that the director put it off on one of their staff members and it just kept falling through the cracks. He stated that Crystal (with Tiger Insurance) came and presented this opportunity to the Jacksonville Parks Department. He expressed his feeling that this was huge, explaining he has already gotten permission and reserved the Jacksonville High School stadium. He explained it will be an outdoor concert utilizing the stage, noting the concert budget is attached to the request.

In response to a question from Commissioner Andy Patel, Director House replied the concert will be held on Saturday, August 18th and the featured artists will be Farewell Angelina, who has a recording contract, and Barrett Baber, who was on The Voice and finished third. He stated he has not spoken to too many people in case funding was not received. He related there will be expenses to rent sound equipment and some chairs as well as other things. He noted both bands have agreed to come at half of their normal cost because they are doing this concert as a fund raiser for Parks and Recreation.

Commissioner Hall questioned how the concert was going to be promoted.

Director House replied "good question", adding that they will do what they can but hoped that the Sells Agency or somebody could assist with the promotion.

In response to a question from Commissioner Andy Patel, Director House replied they are going to sell 1,500 tickets minimum.

Councilman/Chairman Ray stated there will be several overnight stays with people coming to town for the concert.

Director House stated their plan was to get area businesses involved as sponsors and to make it another community event.

In response to a question from Commissioner Hall, Director House replied they are thinking that the ticket cost would be around \$25.00 each.

Commissioner Hurley noted that would be \$37,500.00 collected, questioning where the funds would go.

Director House replied the Martin Street Pleasure Park currently does not have a playground, explaining his plan is to earmark the funds from sponsorships and ticket sales toward new playground equipment.

It was noted the equipment will cost approximately \$60,000.00.

Director House stated this will benefit the community and hoped to have food trucks on site. He added there has been discussion of the booster clubs potentially selling water at the event as a fundraiser for them.

In response to a question from Commissioner Andy Patel, Director House replied the stadium holds 1,500 in the stands but they hoped to have some very important persons seating. He added in case of rain, the concert will be canceled since Jacksonville does not have a large enough venue.

Commissioner Hall questioned if an event insurance policy could be obtained.

Director House stated he has briefly discussed event insurance, adding he did not know if a policy could be obtained to cover their expenses.

Commissioner Andy Patel moved, seconded by Commissioner Bush to approve the expenditure of \$23,800.00 for a concert. Motion Carried.

ANNOUNCEMENTS:

Recording Secretary Wilmoth read the announcement of the upcoming Welcome Home Vietnam Veterans' Day.

ADJOURNMENT:

With no further business, Councilman/Chairman Ray adjourned the meeting at 6:57 p.m., next meeting Monday, May 21, 2018.

CITY OF JACKSONVILLE, ARKANSAS
Advertising and Promotion Commission



A & P Commission
Regularly Scheduled Meeting
May 21, 2018

CALL TO ORDER:

The Jacksonville A & P Commission met in the regular meeting place of the Commission on Monday, May 21, 2018. Councilman/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, David Bush, Jim Hurley, Billy Hall, and Councilman Kenny Elliott answered roll call. Councilman/Chairman Reddie Ray also answered roll call and declared a quorum. Present (6), Absent (1), Commissioner Andy Patel was absent.

Others present for the meeting included: Recording Secretary Nikki Wilmoth, City Attorney Robert Bamburg, Councilman Les Collins, Finance Director Cheryl Erkel, Parks and Recreation Director Kevin House, Parks and Recreation Marketing Manager Marlo Jackson, Warren Dupree, Sheryl Boyd, Patrick Thomas, and Mike Wilson.

MINUTES:

Commissioner Jim Hurley moved, seconded by Councilman Kenny Elliott to approve the minutes from the April 16, 2018 meeting as presented. Motion Carried.

FINANCIALS:

Finance Director Cheryl Erkel presented the financial report for April noting total assets of \$698,648.00 of which \$402,635.00 are investments. She reported total liabilities of \$36,496.00, with a total fund balance of \$662,152.00. She noted revenues of \$195,801.00 and expenditures of \$105,941.00, noting an excess of revenues over expenditures in the amount of \$89,859.00.

She reported March hotel/motel gross receipts of \$225,858.00, which is a 16% decrease regarding the year-to-date comparison and a 19% decrease regarding the current month comparison. She noted prepared food tax gross receipts of \$3,525,429.00, which is a 5% decrease regarding the year-to-date comparison and a 7% decrease for the current month comparison. She reported overall gross receipts of \$3,751,287.00, which is a decrease of 6% regarding year-to-date comparison and an 8% decrease for the current month comparison.

Councilman Kenny Elliott moved, seconded by Commissioner Jim Hurley to approve the financial report as presented. Motion Carried.

OLD BUSINESS:

- 1. Discussion Sells Agency budget line item**

Councilman/Chairman Ray stated that at the last meeting, there was discussion to possibly increase the Sells Agency budget line item amount. He related the Sells Agency had presented three marketing plans at the last meeting, questioning if the commissioners had reviewed them and wanted to proceed with a larger budgeted line item.

Recording Secretary Wilmoth stated she took the liberty of compiling a cost analysis of advertising costs per event utilizing 2017 data. She related the advertising spend for FestiVille was \$22,799.76, Big Bang on the Range was \$3,972.67, and the Christmas Parade was \$1,437.71. She noted there is also a new event for 2018, which is the Summer Soaring Concert, estimating a proposed expenditure of approximately \$6,000.00. She stated if the commission was to continue funding the advertising costs for these events, the amount would be approximately \$34,300.00. She noted that she had just received the bill for the largest expenditure for the summer advertising that began in May, explaining that \$42,346.53 has been expensed out of the \$55,000.00 approved line item. She stated there is a remaining balance of \$12,653.47 if the line item remains unchanged.

She provided an update regarding the Sells Agency, reporting completion of the Military Relocation Guide ad that sent for publication on May 21st. She related approval of the FestiVille t-shirt design and current revisions to Soaring Summer Concert logo and work on designing Facebook ads for the event. She stated blog posts have been posted for Vietnam Veterans' Day, City Spring Clean-up, and Heritage Day at the Museum.

Councilman/Chairman Ray opened the item up for discussion, questioning if the commissioners wanted to discuss the item now or continue to the next agenda item and re-visit the item later in the meeting.

Commissioner Hurley remarked they are not mutually exclusive, stating the commission might want to do that. He commented the fact of the matter is, the commission recently appropriated \$23,800.00 for the Soaring Summer Concert, adding he is of the opinion that since the commission budgeted \$55,000.00, it should remain at that amount. He added in light of the potential discussion regarding the potential venture between the A & P Commission and the Chamber of Commerce, he is not inclined to raise the Sells Agency line item at this point.

2. Discussion Chamber of Commerce

Councilman/Chairman Ray asked the commissioners to take five minutes to review the contract provided by City Attorney Bamburg.

City Attorney Bamburg stated he can provide a short-hand version of it, explaining he was asked to draft an agreement, which is what he has done. He stated the commission has what they want but the question is whether it is something the commission needs, adding that in his legal opinion, it is still not. He continued with that being said, the commission asked for a contract to authorize up to \$35,000.00 a year for the Chamber of Commerce and this is what he has drafted. He stated it allows for monthly payments based on monthly reports and invoices of what was done.

It outlines for them a series of obligations and action to assist to help develop and to volunteer and help assist in the operation of different events for the city as well as any activities that can be classified as advertising, tourism, and promotion; as well they have apparently been or can be a resource of information for visitors to the area, and in doing so, they have agreed to promote and provide that information as well as giving the commission a location to hand out or distribute information that is not found online. It also has a couple of provisions in it that state the Chamber of Commerce is an independent actor and the commission does not have a financial interest in the Chamber of Commerce and the monthly reports required will be providing information that supports and mandates the actions the Chamber of Commerce provides on behalf of the commission in order to receive the money. With all that being said, there is still legality issues surrounding expenditures by advertising and promotion commissions for chambers of commerce, even with contractual obligations, this is the best contract he can come up with but should litigation follow, this contract will not protect the commission.

Councilman/Chairman Ray offered that he wanted the contract to pass, explaining he met with the City Attorney Bamburg and requested that he draft a contact. He stated it is up to the commissioners to determine whether to take action or to review the contract for discussion at the next meeting.

Councilman Elliott questioned if the Chamber of Commerce has had an opportunity to review the contract.

Mike Wilson offered that he helped draft the original proposal the commission reviewed previously, explaining that he and City Attorney Bamburg have discussed the contract presented tonight, stating the Chamber of Commerce has no objection to the terms that have been laid out, noting that in a couple of places, there are improvements over what was previously presented. He continued stating in particular, the draft spells out a little better than the previous proposal, the assistance and direction of the Parks Department in various events. He said the draft makes it clear the Chamber of Commerce is to assist those functions and not to manage them as direction. He continued in that sense, it is better than the one he proposed. He said he believed the agreement to be perfectly lawful, adding that he and City Attorney Bamburg have a respectful disagreement about that, but it is clear that in this agreement, A & P revenues are not to be used for general operations of the city, and that is the key term and what the law states. He noted that A & P revenues can only be used for advertising and promotion only. He related both of their contracts make that clear and that is what the law states. He offered that he is personally satisfied the agreement is perfectly lawful, remarking he is willing to go to jail along with Councilman/Chairman Ray. He stated that it is an opportunity for the commission, as it has always done, to work cooperatively with the Chamber of Commerce, Sells Agency, and other tourism and economic development agencies, to work side by side to make this happen for the whole community. He offered to try and answer any questions, reiterating the contract provided by City Attorney Bamburg is perfectly acceptable to the Chamber of Commerce and they are ready and willing to put it in effect.

Commissioner Hurley noted the contract does not have a provision where this individual coordinates or works with the Sells Agency on advertising and promotion, questioning if the commission would not want the Chamber of Commerce to do that rather than having each entity doing their own thing.

He stated the need to have a bullet point under the “scope of services” item three, letter “I”, unless he is overlooking where they are working with the Sells Agency.

City Attorney Bamburg stated anything that anybody, on behalf of the Chamber of Commerce, would do would go either between Parks and Recreation, in assisting with the programs they are sponsoring, or through Recording Secretary Wilmoth. He stated he does not want to set up and does not believe the commission needs someone at the Chamber of Commerce directing or ensuing services from the Sells Agency that the commission is going to pay for. He said he did not think it would be appropriate. He continued saying anything they do would be through one of the two so they don't have to have direct contact with the Sells Agency, they may be involved in some of the processes simply because they may have the idea or layout or whatever the case may be, but it needs to go through either Recording Secretary Wilmoth or the Parks Department so the commission has control over what is spent and what is not spent out of the Sells Agency budget, which is why it is not specifically addressed in the contract.

Mr. Wilson agreed, expressing the Chamber of Commerce's commitment to work cooperatively with both Parks & Recreation and the Sells Agency, after all the Chamber of Commerce will have an on the ground person there most of the time, the Sells Agency might not, and Kevin is busy running the Shooting Range and everything else, so there is a central person that can attend to things that Kevin and the Sells Agency may need. He stated the Sells Agency, the City of Jacksonville, and the commission absolutely needs to work together and have, he thinks successfully, to continue and will.

Commissioner Hurley agreed, adding he can understand both and that is fine. He stated to be clear; this individual would attend the commission meetings on a monthly basis, questioning if that is what is stated in the contract.

City Attorney Bamburg replied they would attend the meetings and provide a monthly report.

Commissioner Hurley reiterated they “would” and not “could” provide a monthly report to keep the commissioners informed.

City Attorney Bamburg stated that it was a requirement for them to receive payment.

Councilman Elliott offered that it was good because it keeps the commission informed and them also.

Commissioner Hurley noted the Sells Agency is usually present at the meetings doing the same thing.

Councilman Elliott remarked that everyone needs to coordinate together.

Mr. Wilson noted the contract provides for coordination planning operations as requested by the commission.

Commissioner Hall stated he would like to possibly increase what the commission is doing for the Chamber of Commerce and less to the Sells Agency personally, but in lieu of what City Attorney Bamburg has said, he will have to be against it.

Councilman Elliott moved to approve the contract as presented.

Commissioner Hurley stated that under consideration, line item two, "funding for this calendar year should be no more than \$35,000.00", does this go back to January 1st as opposed to this agreement from June 1st.

City Attorney Bamburg stated that it does not have retroactive application, explaining the contract is for June 1st to December 31st for no more than \$35,000.00 a year, which is what he was told and what is written in the contract.

Commissioner Hurley confirmed the maximum was \$35,000.00 from January 1st until December 31st.

City Attorney Bamburg clarified it was for 2018 and any renewal or additional funding would have to be approved by the commission.

Councilman Elliott questioned why it could not be approved for a year from now.

City Attorney Bamburg explained the commission can only approve funds for the current calendar year.

Discussion ensued and it was noted that there was seven months remaining for a total of \$20,416.00 or \$2,916.66 per month.

City Attorney Bamburg noted that six months would be \$17,500.00, adding that a second to the motion was needed before continuing with discussion.

Commissioner Hurley seconded the motion. Motion Carried with Commissioner Hall voting against.

Councilman/Chairman Ray stated that under the agreement, the commission agrees to finance six months of this year.

Discussion ensued over the starting date and it was noted that the contract states June 1st to December 31st, which is seven months.

Sheryl Boyd stated that if the contract period was \$2,916.66 per month, by the time that they get a new job description written, posted, and interview, she really doesn't think that a person will be in place prior to June 1st. She added that she would aim for July 1st at this point, which would be six months.

Councilman/Chairman Ray questioned if the secretary and the finance director could come up with a figure and he will sign it.

City Attorney Bamburg stated that it was going to depend on what is done on a monthly basis under the terms of the agreement. He continued saying if they are not going to have anyone in place until July 1st, as indicated by Ms. Boyd, then that is the reality of it.

He stated the Chamber of Commerce does the invoicing, adding that it does not need to be a set monthly amount but based on the activities provided. If the commission makes it into a monthly amount, it is guaranteed to be illegal.

NEW BUSINESS:

1. \$7,110.78 funding request “Five Point of Fun” Street Fest

Dr. Robert Price related this is a collaborative project between the City of Jacksonville, the Downtown Revitalization Group, and the Chamber of Commerce. He explained that the City of Jacksonville’s master plan was written a couple of years ago and endorsed by the Planning Commission and City Council. He stated he is working on it daily, adding this is an attempt to move it forward by reorienting people to downtown and showcasing the businesses located there. He continued stating he wants people to have a positive experience when coming downtown. He explained as they pull new businesses in, with the passage of “drink by the glass”, people will become more favorable approaching the downtown area. He noted since the 1980’s, downtowns across the country are coming back in most small towns and Jacksonville is trying to do the same thing, adding the master plan calls for it. He stated they are interested in moving it downtown and the Chamber of Commerce is utilizing this as a preliminary event for the golf tournaments coming up later next month. He said he is asking for the essential infrastructure that will help them to pull this off. He stated all of the planning and effort is being volunteered by numerous people, citizens, and some board members from the Chamber of Commerce. He explained they have approximately forty events planned and will be closing a portion of Main Street and using part of the library grounds and the Jacksonville Shopping Center. He noted it will be a one day event starting with a small farmer’s market at 8 a. m and the rest of the events will begin around 10 a.m. He stated there will also be music and a number of contests, along with kids’ activities that will be scattered throughout the parking lot and up and down Main Street between James Street and just this side of Bailey Street. He continued that it is just one step, in his view, of moving the plan along for revitalizing downtown Jacksonville.

Councilman/Chairman Ray related meeting with the committee and encouraging Dr. Price to come before the commission to request funding. He suggested the commissioners fund the request.

City Attorney Bamburg questioned if the Chamber of Commerce was funding the event or if they were part of the program that was funded by the Downtown Revitalization Committee.

Dr. Price replied the request he made was really the City of Jacksonville’s portion of this. He stated the Chamber of Commerce is doing some other stuff, adding it has been a collaborative planning process from the very beginning

City Attorney Bamburg stated that in answer to his question, the Chamber of Commerce is just participating but not organizing, questioning if that was accurate.

Dr. Price stated the Chamber of Commerce was co-organizing with him and other folks.

City Attorney Bamburg related if the Chamber of Commerce is part of the sponsorship of the event, those funds could come from the funds allocated within the contract.

Dr. Price stated the funds will not go to the Chamber of Commerce but will come to the City of Jacksonville to pay for events listed on the funding application. He said the Chamber of Commerce will have a booth, sell t-shirts, and encourage membership purchase.

Councilman/Chairman Ray stated this was a downtown revitalization project.

Finance Director Erkel noted invoices will be paid out of the Downtown Revitalization and Improvement account.

City Attorney Bamburg stated to please disregard what he said previously as it could not be done.

Commissioner Hurley moved, seconded by Commissioner Hall to approve funding for the “Five Points of Fun” Street Fest.

City Attorney Bamburg clarified the funding was in the amount of \$7,110.78, through the Downtown Revitalization Program, questioning if invoices were needed in order to receive funds.

Recording Secretary Wilmoth replied that she discussed the issue with Finance Director Erkel and determined the commission would remit a check for the entire amount to the Downtown Revitalization and Improvement account, adding the invoices would be paid out of that account as received. She stated that any funds not utilized for the event would be refunded back to the commission as stated on the funding request form.

City Attorney Bamburg stated it is easier for us when trying to cover what is needed to be covered later, adding if it is a one-time payment; it is covered by what the commission directed.

Motion Carried.

Councilman/Chairman Ray re-addressed discussion of the Sells Agency line item, noting Commissioner Hurley had stated he is satisfied with the \$55,000.00 line item as approved. He said he wants to be sure events are fully promoted. He suggested waiting until after the Soaring Summer Concert regarding additional funding, stating the commission might be able to do a little more for the last four months.

Commissioner Hurley suggested that they should go ahead with the activities based on the amount appropriated in December.

Director Kevin House expressed concern, relating that they are in the middle of planning for FestiVille and the Summer Soaring Concert without advertising funds. He added that he would submit another funding request if needed.

Commissioner Hurley commented that he didn't know if FestiVille wasn't already included within the Sells Agency line item.

Director House replied that \$42,000.00 out of the \$55,000.00 has already been reported as expensed, adding there may be small parts of FestiVille included, but the bulk of it has not been advertised.

Recording Secretary Wilmoth confirmed the only item completed this year for FestiVille has been the t-shirt design. She stated that things have been sporadic, adding she did not know what the direction the commission wanted to take.

Director House stated if the commission waits until after August, that will be too late. He noted that Councilman/Chairman Ray had stated to possibly wait until after the Soaring Summer Concert however, they need start advertising now.

Commissioner Hurley stated that based on the budgetary revenues and expenditures report, \$25,000.00 has already been allocated for FestiVille.

Recording Secretary Wilmoth and Director House confirmed the amount was for the operational costs associated with the event and not for advertising.

Commissioner Hurley questioned if the original funding request included advertising costs, stating he feels Director House should do another funding request unless someone wants to make a motion to vote on.

Director House stated he can do another funding request, noting he discussed this with Recording Secretary Wilmoth today, but did not know how the commission wanted him to proceed; adding all he knows is that they need advertising dollars for the Soaring Summer Concert and FestiVille, which are the main events.

Councilman/Chairman Ray stated he was going back to his original statement to review funding allocations at the July meeting, asking Finance Director Erkel if that was too late.

Director Erkel replied if Director House was going to need advertising funds for the Soaring Summer Concert and FestiVille, he is going to need to submit another funding request if the commission is unwilling to increase the Sells Agency line item now. Director House cannot wait until August to find out if the Sells Agency is going to have more funding for advertising.

Commissioner Hurley questioned where the commission was regarding funds with the items already addressed.

Recording Secretary Wilmoth replied with the added expenditures, the balance would be down to \$27,000.00.

Commissioner Hurley asked if there wasn't a certificate of deposit maturing at the end of May for \$100,000.00, questioning if half of it could be placed in the commission's funds.

Finance Director Erkel replied the investments are already included in the fund balance that is undesignated. She continued saying even though the funds are included in a certificate of deposit, and the commission matures and cashes it out, it will not change the fund balance.

She explained it just converts from a certificate of deposit into cash. She noted the commission can increase the line item.

Commissioner Hurley asked to review the options provided by the Sells Agency in the marketing plans presented at the last meeting.

Discussion ensued and Secretary Wilmoth read from the minutes of the last meeting that the second media option was for a total budgeted amount of \$110,000.00 which would increase the advertising spend to \$75,000.00 and would add \$16,000.00 of marketing support for FestiVille. She noted that out of the \$110,000.00 line item in 2017, total expenditures for the year were around \$85,000.00 total.

Commissioner Hurley questioned if the commission had the funds to raise the line item from \$55,000.00 to \$110,000.00.

Councilman Elliott stated he thought the commission only had \$27,000.00.

Councilman/Chairman Ray questioned if the item of business needed to be tabled until the next meeting.

Director House stated he is not asking for the line item to double, he just needs advertising funds for FestiVille and the Soaring Summer Concert.

Recording Secretary Wilmoth offered that the commission could, based on the amounts provided from last year's expenditures, increase the line item by \$34,000.00 which should cover all of the advertising needs for the remainder of the year.

Commissioner Hurley moved, seconded by Commissioner Bush to increase the Sells Agency's line item from \$55,000.00 to \$90,000.00. Motion Carried.

ANNOUNCEMENTS:

Recording Secretary Wilmoth read the announcements of the upcoming events which included the Jacksonville Museum of Military History's Heritage Day and the "Five Points of Fun" street fest.

ADJOURNMENT:

With no further business, Councilman/Chairman Ray adjourned the meeting at 6:45 p.m., next meeting Monday, June 18, 2018.

CALL TO ORDER:

The Jacksonville A & P Commission met in the regular meeting place of the Commission on Monday, September 17, 2018. Council Member/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, David Bush, Jim Hurley, Billy Hall, and Council Member Kenny Elliott answered roll call. Council Member/Chairman Reddie Ray also answered roll call and declared a quorum. Present (7), Absent (0)

Others present for the meeting included: Recording Secretary Nikki Wilmoth, City Attorney Robert Bamburg, Mayor Gary Fletcher, Council Member Les Collins, Finance Director Cheryl Erkel, Parks and Recreation Director Kevin House, Sells Agency CEO Mike Sells, Sells Agency Account Representative Kristen Burgeis, Chamber of Commerce Board President Sheryl Boyd, Chamber of Commerce Director Courtney Dunn, William House, Warren Dupree, Patrick Thomas, Jim Moore, and Bill Keeley.

MINUTES:

Commissioner Andy Patel moved, seconded by Council Member Kenny Elliott to approve the minutes from the May 21, 2018 meeting as presented. Motion Carried.

CHAMBER OF COMMERCE REPORT:

Council Member/Chairman Ray welcomed Chamber of Commerce Director Courtney Dunn.

Director Dunn stated she has been with the Chamber of Commerce for a little over a month and loving her new position, adding everyone is making her feel super welcome. She related that she has met a lot of people in Jacksonville who are going to help her to do her job better. She stated she met with Recording Secretary Wilmoth a few times regarding the Chamber of Commerce invoices, explaining it was difficult to submit invoices for the time when she wasn't present however; they have worked through the issues. She related invoices have been submitted for June and July, noting they are a little behind. She explained the submitted invoices were for events, planning meetings, and managing events held during the month. She related there are a few upcoming events which are FestiVille and the Splash Dash 5K that will be held that morning. She explained it will be a 5K run with water obstacles throughout the course and a water slide. She noted there are a couple of television appearances scheduled, one this week and one the following week, adding there is one more is still in the scheduling process. She expressed her feeling this will not only promote the Splash Dash 5K but will also promote FestiVille and Jacksonville.

She stated one of the biggest projects that she was excited to start was the Chamber of Commerce website that needed a little help. She related the updated website will go live on Wednesday morning, explaining this will be another enhanced tool to promote Jacksonville and area events. She noted they will be continuing the weekly e-blast of events that is sent out to residents and Chamber of Commerce members. She related that another of her goals was to grow the relationship and better the communication between the Chamber of Commerce and the City, explaining that if we all have the same goal to make Jacksonville great and let everybody see how great Jacksonville is, we can reach the goal on a smoother path if we all work together.

Commissioner Andy Patel commented that as a hotel business owner for more than twenty years, he has never received a telephone call from the Chamber of Commerce. He suggested that she contact area business owners.

Director Dunn stated she hasn't has the time so far to reach out to business owners but she definitely intends to.

Commissioner Andy Patel stated the Chamber of Commerce needs to reach out to its members and other business owners to become members, explaining there has been a lack of communication for several years.

Director Dunn thanked Commissioner Andy Patel saying the feedback was helpful.

FINANCIALS:

Finance Director Cheryl Erkel presented the financial report for August noting total assets of \$611,682.00, explaining that \$357,918.00 is in cash and \$251,918.00 are investments. She reported total liabilities of \$73,722.00. She noted revenues of \$496,717.00 and expenditures of \$497,401.00; reporting an excess of expenditures over revenues in the amount of \$684.00.

She reported July hotel/motel gross receipts of \$304,913.00, which is a 5% decrease regarding the year-to-date comparison and a 5% increase regarding the current month comparison. She noted prepared food tax gross receipts of \$3,242,686.00, with a 3% decrease regarding the year-to-date comparison and a 6% decrease for the current month comparison. She explained that all of the hotels have remitted payment for the month of July however; regarding prepared foods, there are four businesses that had not remitted payment by the end of August for July. She noted the businesses have since remitted payment with the exception of one business that is receiving a collection letter. She stated with the payments received in September for July, the current month comparison increases to 1%. She reported overall gross receipts of \$3,547,599.00, which is a decrease of 3% regarding year-to-date comparison and a 5% decrease for the current month comparison, adding that with the additional payments received the current month comparison would be an increase of 1%.

Commissioner Andy Patel moved, seconded by Council Member Kenny Elliott to approve the financial report as presented. Motion Carried.

SELLS AGENCY REPORT:

Sells Agency CEO Mike Sells related that when looking at a recap of the summer projects there is basically three: the Soaring Summer Concert, the branding campaign, and FestiVille. He stated that for the Soaring Summer Concert, they produced fliers, banners, Facebook ads, Instagram ads, Pandora ads, print ads, designed the logo, and public relations. He explained when looking at the digital advertising campaign for the event, there was a total of 904,210 impressions delivered with a .27% click-through rate which drove approximately 2,453 people to the Eventbrite website to purchase tickets. He related regarding public relations, they were able to obtain four live television appearances and six live radio appearances, noting the advertising value or equivalent of those ten plus two online news stories was \$15,921.00. He said the campaign did its part by getting people to look and then to click-through to the Eventbrite website to purchase tickets.

Sells Agency Account Representative Kristen Burgeis related the majority of the media plan went to promote Jacksonville in central and northeast Arkansas. She stated there were digital banners, social media advertising, and pre-roll; explaining the three pieces of creative ran from the end of April beginning of May through August. She noted 2.6 million impressions were served during the duration of the campaign with a .25% click-through rate, which resulted in 6,700 clicks to the website during the 2.5 to 3 months. She explained to further break down the results, the banner ads resulted in 1,083 click-throughs, the pre-roll ads shown in central Arkansas resulted in 1,697 click-throughs and the northeast Arkansas pre-roll ads resulted in 1,769 click-throughs. She stated the social media campaign did the best resulting in 2,110 click-throughs to the website. She noted this campaign was slightly different from last year's campaign so there is no "apples to apples" comparison however, 2.6 million impressions with almost 7,000 people going to the website is definitely successful in her opinion.

Commissioner Andy Patel questioned how the click-throughs could be tracked to justify the click-throughs are helping to improve Jacksonville businesses. He asked if it was relevant, adding that it should be. He stated when advertising and promoting Jacksonville, he is not seeing the benefit to hotels and restaurants. He acknowledged that area construction could be a factor however, questioned if this was bringing any business to Jacksonville.

CEO Sells reiterated the question "are there ways to specifically track a click to a visit to a hotel or restaurant", the answer is yes, explaining there are companies now that have technology that will allow you to do so but the cost of implementing that type of technology will cost more than what the commission spends on an annual basis. He related they have been looking at that type of service for some of their other tourism clients and the cost is astronomical. He continued saying at this point, this early in the technology; it is only affordable to very large destinations spending half a million to a million dollars. He explained it is based on the fact that 60 to 70% of all of the ads are served and clicked on, are to a mobile device that can be registered into a database and then the device is tracked so when it shows up in a town or hotel in a given area, with a location device and some extrapolation of data, can determine that a certain number of people in an area hotel or restaurant were served our ad and clicked on the ad within the last six month.

Commissioner Andy Patel stated the clicks are not directly affecting the hotels and restaurants or any other businesses.

CEO Sells agreed stating people cannot directly purchase a meal or a hotel room on a tourism website.

Account Representative Burgeis noted there are specific ads that are hotel related, explain when the person clicks on the ad they are directed to the advertising and promotion website hotel page. She acknowledged there is not a book-a-room feature on the page so then we lose them. She noted there is also an “eat in Jacksonville” ad which takes the person directly to the restaurant page. She stated from the creative side they are trying to get them to a place they want to go. She related until those features are added to the website, they are lost once they click onto the website.

In response to a question from Commissioner Andy Patel, Account Representative Burgeis replied that each page has a list of hotels and restaurants along with contact info and a website link. She related that per the latest branding campaign 78% of ads were served to mobile devices.

Commissioner Hurley moved, seconded by Council Member Elliott to approve the Sells Agency report as presented. Motion Carried.

OLD BUSINESS:

NEW BUSINESS:

A. Resolution 101 (#01-2018) Supporting class action litigation regarding improper assessment and collection of hotel/motel Internet/online taxes for hotel bookings.

City Attorney Robert Bamberg related there is a class action that has been going on for some time involving Pine Bluff’s advertising and promotion commission as well as several other municipalities to include North Little Rock and a number of others. The class action is against hotel.com, booking.com, and other websites that book locations or different hotels such as the ones that are being booked in Jacksonville. The common practice of the websites is to not pay the appropriate amount of hotel/motel tax or sales tax. He stated that is what created this suite in the first place. He noted the matter has gone through the circuit court in Jefferson County and Pine Bluff and the plaintiffs won and the defendants were not happy and filed an appeal to the Supreme Court. He related the other plaintiffs are trying to join in as many different municipalities as possible to increase the class and the amount of damages that might be assessed against the defendants. He noted the City Council voted during one of its previous meetings to join into this class on behalf of the city and they also want the Commission to join in which is why he has prepared a resolution for the Commission to consider. He noted it will not cost the Commission anything to get into it; the attorney’s fees will be paid out of the class action which means it will draw from what the judge awards. He reiterated it will not cost the Commission anything and would be a mistake for the Commission not to be a part of this action. He asked the Commissioners to read and approve the resolution.

Council Member Elliott moved, seconded by Commissioner Hall to read Resolution 101. Motion Carried.

City Attorney Bamberg read the heading of Resolution 101 (#01-2018)

Council member Elliott moved, seconded by Commissioner Hurley to approve Resolution 101. Motion Carried.

Council Member/Chairman Ray noted that Resolution 101 has been adopted.

Commissioner Hurley questioned how far retroactively would they go back and how do you confirm that hotels.com was the one to make the booking.

City Attorney Bamburg replied that interestingly enough because Pine Bluff started this in 2009, they retroactivity will go back to that time frame for any of the entities that had advertising and promotion commissions at that point, adding we were fortunate enough that we did. As to the amount of damages, that is part of the issues going to the Supreme Court. Hotel.com and the other agencies did not agree with the manner in which the damages were going to be calculated by the plaintiffs' counsel so they have appealed that issue as well as a couple of others. He continued saying until such time as the Supreme Court gives a ruling in that vein, we won't know what the exact calculation process will be.

B. \$3,000.00 re-allocation of funding request from "Five Points of Fun" Street Fest to FestiVille 5K Splash Dash

Council Member/Chairman Ray related that Dr. Price did not spend all of the funds allocated for the "Five Points of Fun" Street Fest and wants to spend the remaining amount on the Splash Dash 5K. Dr. Price is requesting permission from the Commission to expense the remaining amount toward the Splash Dash 5K.

Commissioner Andy Patel moved, seconded by Commissioner Bush to re-allocate \$3,000.00 from "Five Points of Fun" Street Fest to FestiVille Splash Dash 5K. Motion Carried.

C. Presentation 20th Annual Car & Truck Show in April 2019

Mark Goodsell, with Goodsell Truck Accessories, stated this will be their 20th annual show. He provided a brief history of the event noting it was started by Mr. Roy Sword and the Falcon Car Club, explaining they were having a little show at the Western Auto store on the access road. He stated he spoke to Mr. Sword, when he built his new building on Municipal, about moving the car show to his location with an agreement to purchase trophies for the event. He related there were approximately thirty cars and it was right in line with his automotive business. He stated the show continued to grow and the Falcon Car Club turned it over to the Arkansas Street Machines and it just continued to grow. He related he has been trying for several years to get the Arkansas Pontiac Association to take the show, explaining this year was their first year to take the show. He noted these guys are highly regarded in the car show world and they know how to run a good show, how to put a good show on, and how to judge a show. He said it was the biggest show they have had with 250 show cars. He noted the City allows them to use the Farmer's Market and the southeast parking lot, adding it was almost full but there is space for a few more cars if they are parked correctly. He said the car show is from 9 a.m. to 3 p.m.

He stated one of the members of the Arkansas Pontiac Association works for the Baptist Health Foundation and they have the healthy youth active program, which she recommended. He noted that approximately \$5,000.00 was raised for that charity. He stated he would like to keep the money in Jacksonville, adding they really like the Jacksonville Friends of the Animals. He explained they still have a couple of board members to talk to but feels this is the direction they are going to go. He related if they do that, Christine Henderson stated she would bring the mobile adoption unit to the car show so there can be on site adoptions. He related he is asking for funding for advertising only. He explained the entry fee to enter a car into the show is \$25.00, explaining all of the funds raised after expenses goes to the charity. He stated all funds from concessions sold will also go to the charity. He related ads are purchased in the North Pulaski Leader, the Combat Airlifter, the Democrat Gazette, and the Democrat Gazette Classified in the antique automobile section. He noted they also purchased ads on The Point 94.1, 106.7 The Ride, KSSN 95.7, 105.1 The Wolf, and KARN provided a lot of free time, adding all of the stations provided free time for them to come down and talk about the car show. He noted the car show was also promoted on a lot of social media outlets. He related he makes sure that they are included in the April calendar of events and the list of top ten things to do in the Style Section of the Democrat Gazette. He stated the local papers, when they purchase ads, are good about giving free ads to promote the event and follow-up stories with pictures after the event. He related the car show community is very good about getting the word out to their community, adding there is no problem with getting 250 entries. He stated the trophies are unique and are made out of car parts, saying his job historically has been to get the spectators to come, noting it is a family event free to the public. He further noted that in 2018, \$2,631.00 was spent on advertising, which is crazy for a car show. He related that due to the number of people attending, he is sure they are purchasing gas or staying in a hotel. He stated this year they had a movie car section with a Smoky and the Bandit Trans-Am, a Dukes of Hazzard car, and a Back to the Future car. He stated they plan to have an ugly truck contest next year.

Council Member/Chairman Ray thanked Mr. Goodsell for his request and informed him that it would be considered for funding during the budget process.

D. Rescheduling of October meeting from October 15th to October 29th

Recording Secretary Wilmoth informed the Commission they would like to reschedule the regular meeting on October 15th to October 29th to complete the preliminary budget process. She noted the revised funding request form would be on the website at the end of the week, explaining that a deadline for requests has been given of October 10th. She explained the need to hopefully finalize the budget at the end of October so approved funding requests affecting the City's budget can be implemented into the preliminary City Council budget at the November City Council meeting.

It was the consensus of those present to move the October 15th meeting to October 29th.

Commissioner Hurley questioned the cost of the Soaring Summer Concert regarding advertising of the event.

Recording Secretary Wilmoth replied that \$19,889.56 was spent on advertising, explaining the funding request from Parks and Recreation was in the amount of \$23,800.00 but did not include advertising costs.

Parks and Recreation Director Kevin House agreed, stating the request he submitted was for the event cost and did not include advertising.

Commissioner Hurley remarked the Commission spent a lot of money toward that event, questioning the number in attendance.

Director House replied the attendance was approximately 80 people.

Commissioner Hurley acknowledged that the venue had to be moved due to the weather, questioning if that impacted attendance. He expressed his opinion the Commission did not make the wisest choice nor was there any real benefit.

Director House related he has been questioned a lot, adding those who came saw a great show and the entertainment was top notch. He stated it is a shame they did not have more community support and attendance.

Commissioner Hurley stated he did not disagree however, moving forward that is not a direction he is inclined to pursue even though people are saying that we need more activities but they don't participate. He continued saying they were calling it a series however, it should be a one year event, expressing his feeling that it was not an effective use of funds. He stated he was disappointed in the attendance, adding that it was not being good stewards of the tax payer dollars.

Director House remarked that hindsight is twenty-twenty and he does not disagree but when it was brought to them he thought it would be a wise decision or he would not have submitted a funding request.

Commissioner Hurley noted there was plenty of advertising for the event but from an effectiveness standpoint it obviously did not appeal to a lot of people and he wanted Director House to be aware.

Council Member/Chairman Ray commented he was disappointed as well saying he works in the hospitality industry. He said there are times they are planning for an event that eventually gets canceled due to poor ticket sales. He noted the Governor's Conference on Tourism had suggested concerts as a way to promote cities.

ANNOUNCEMENTS:

Recording Secretary Wilmoth read the announcements of the upcoming events which included FestiVille, the Splash Dash 5K, and the Jacksonville Museum of Military History's 11th Annual Stars and Stripes 4-Man Scramble.

ADJOURNMENT:

With no further business, Councilman/Chairman Ray adjourned the meeting at 6:50 p.m.

CITY OF JACKSONVILLE, ARKANSAS
Advertising and Promotion Commission



A & P Commission
Regularly Scheduled Meeting
October 29, 2018

CALL TO ORDER:

The Jacksonville A & P Commission met in the regular meeting place of the Commission on Monday, October 29, 2018. Council Member/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 Andy Patel, Jim Hurley, and Council member Kenny Elliott answered roll call. Council member/Chairman Reddie Ray also answered roll call. Present (4), Absent (3)

Others present for the meeting included: Recording Secretary Nikki Wilmoth, City Attorney Robert Bamburg, Mayor Gary Fletcher, Council member Les Collins, Council member Barbara Mashburn, Finance Director Cheryl Erkel, Parks and Recreation Director Kevin House, Parks and Recreation Marketing Manager Marlo Jackson, Parks and Recreation Facilities and Programs Administrator Megan Vandergriff, Warren Dupree, Patrick Thomas, Tim Duchesneua, Jerry Sanders, and Lida Feller.

Council member/Chairman Ray stated that according to the Commission's by-laws, there are not enough Commissioners present for a quorum. He explained to conduct business the Commission must have four Commissioners present, noting there is only three present and the others have been contacted. He asked those present whether they wished to wait to the regular scheduled meeting or schedule a special meeting.

Discussion ensued and it was the consensus of those present to hold a special meeting on Thursday, November 8th at 10:00 a.m.

Council member/Chairman Ray apologized to those in attendance and thanked them for coming.

ADJOURNMENT:

Councilman/Chairman Ray adjourned the meeting at 6:10 p.m.

CITY OF JACKSONVILLE, ARKANSAS
Advertising and Promotion Commission



A & P Commission
Special Meeting
November 08, 2018

CALL TO ORDER:

The Jacksonville A & P Commission met in the regular meeting place of the Commission on Thursday, November 08, 2018. Council member/Chairman Ray called the meeting to order at 10:00 a.m. He then delivered the invocation and led a standing audience in the "Pledge of Allegiance".

ROLL CALL:

Commissioners Ray Patel, Andy Patel, David Bush, Jim Hurley, Billy Hall, and Council member Kenny Elliott answered roll call. Council member/Chairman Reddie Ray also answered roll call and declared a quorum. Present (7), Absent (0)

Others present for the meeting included: Recording Secretary Nikki Wilmoth, City Attorney Robert Bamburg, Council member Barbara Mashburn, Finance Director Cheryl Erkel, Assistant Finance Director Laura Collie, Parks and Recreation Marketing and Programs Manager Marlo Jackson, Chamber of Commerce Board President Sheryl Boyd, Chamber of Commerce Director Courtney Dunn, Warren Dupree, Bob Price, Danna Kay Duggar, Mike Wilson, and Lida Feller.

MINUTES:

Commissioner Andy Patel moved, seconded by Commissioner Jim Hurley to approve the minutes from the September 17, 2018 meeting as presented. Motion Carried.

FINANCIALS:

Finance Director Cheryl Erkel presented the financial report for September reporting assets of \$664,269.00, explaining \$252,466.00 are investments with liabilities of \$112,950.00. She noted revenues of \$565,506.00 and expenditures of \$518,719.00 with an excess of revenues over expenditures in the amount of \$46,787.00.

She reported August hotel/motel gross receipts of \$236,401.00, which is a 4% decrease regarding the year-to-date comparison and a 3% decrease regarding the current month comparison. She noted prepared food tax gross receipts of \$3,339,621.00, which is a 1% decrease regarding the year-to-date comparison and remaining even for the current month comparison. She reported overall gross receipts of \$3,576,022.00, which is a decrease of 2% regarding year-to-date comparison and remaining even regarding the current month comparison.

In response to a question from Commissioner Andy Patel, Finance Director Erkel explained revenues are down two percent however, the difference between the revenues and expenditures from previous years is offsetting the deficient this year.

Commissioner Jim Hurley moved, seconded by Council member Kenny Elliott to approve the financial report as presented. Motion Carried.

OLD BUSINESS:

NEW BUSINESS:

A. Discussion 2019 advertising

Council member / Chairman Reddie Ray acknowledged receipt of a letter from the Sells Agency terminating the commission's contract. He stated he had already made up his mind to ask the Commission to not continue the contract and try to do as much "in house" advertising as possible. He continued saying regarding returns there was no way to show they had attracted a lot more people to Jacksonville. He stated it was his intent to ask the Commission to go in a different direction prior to receiving the letter.

He alluded to a misunderstanding between The Leader newspaper and the Commission, stating at the conclusion of this meeting he was going to go by The Leader's office and straighten everything out.

Commissioner Andy Patel commented when the Commission was established, it was to promote and advertise the city utilizing taxpayer funds. He continued saying whether the Commission chooses to outsource to a marketing agency or to use "in house" marketing, the Commission has to find a way to advertise and promote Jacksonville. He questioned, without the Sells Agency next year, how the Commission was going to manage the taxpayer's money promoting Jacksonville, which is the most important thing. He noted the Commission has been utilizing the Sells Agency for several years and as told them they are doing a good job. He said whatever they have been doing; the Commission has been supporting the funds going toward the advertising of Jacksonville. He questioned how the amount, previously allocated to the Sells Agency for advertising, will be used, explaining he wants to be sure those funds can only be used to advertise and promote Jacksonville. He stated he is not in agreement with saying something different now when the Commission has stated otherwise previously. He continued saying he wants to see the funds used wisely to promote Jacksonville, whether it be the businesses, private or governmental entities, or whatever the Commission decides; he wants the funds to be used in the right way. He said he does not want the funds to be allocated somewhere else and not be utilized to promote Jacksonville which is his concern.

Council member/Chairman Ray noted Big Bang on the Range is an "in house" marketing item, expressing his feeling the Commission can do a good job advertising "in house". He added he is not saying the Commission is not going to use The Leader to promote Jacksonville but the Commission will not be using the Sells Agency but will be using "ourselves" to promote Jacksonville through The Leader and other entities that will advertise Jacksonville. He reiterated the Commission will not be using the Sells Agency or another entity to promote Jacksonville.

Council member Elliott stated he sees Commissioner Andy Patel's point that the Commission needs a line item within the budget for advertising. He explained the Commission is going to need advertising for each event and also for advertising and promotion of the city.

Commissioner Andy Patel agreed saying it is the most important part because the city is collecting hotel/motel and prepared food tax revenues to promote Jacksonville, which is the number one item in the agenda.

Council member/Chairman Ray stated he said the wrong thing concerning the Sells Agency in reference to getting the "bang for the buck". He acknowledged they advertised and promoted Jacksonville, recommending the Commission proceed in a different direction. He said the Sells Agency was in agreement with him, explaining he received negative feedback regarding the decision to advertise in northeast instead of central Arkansas. He noted people from the northeast part of the state have to travel through Jacksonville to get to Little Rock, saying he has seen the advertising in that part of the state that promoting Jacksonville. He said he was in agreement with advertising there, adding he has also seen literature within the "Welcome Centers" advertising Jacksonville. He continued he is not saying Jacksonville does not need an advertising agency however, he is saying that maybe the Commission should do something else.

Council member Elliott stated he is not in disagreement with not having the Sells Agency but the Commission needs to keep the funds allocated to advertising.

Commissioner Andy Patel said if the Commission wants to do "in house" advertising; the Commission has to have a dedicated person who can do that part. He stated the budget can be reduced toward it next year. He noted hotel/hotel and prepared food tax revenues will be effected by the passage of the increased minimum wage amendment from 2019-2021, which will increase the minimum wage to \$11.00 per hour. He continued saying he would prefer to be very conservative regarding the budgeting of revenues for the next few years, explaining hotels and restaurants will be directly impacted by this change. He noted both are already impacted based on the financials with construction to continue to be a factor for a few more years for several businesses. He projected revenues will stay declined for the next few years.

Council member/ Chairman Ray said he was making the suggestion and the Commission can address further at a later date.

B. Discussion and Approval 2019 Budget

Recording Secretary Wilmoth noted proposed 2019 revenues are \$855,750.00 which is a slight increase from the 2018 approved revenues of \$854,993.00.

It was noted that Finance Director Erkel composed the prosed revenues and the increase is in reference to an interest income adjustment from \$1,200.00 in 2018 to \$2,000.00 in 2019.

Commissioner Andy Patel reiterated the change to the minimum wage will have a direct effect on the revenue received. He noted ongoing construction has already affected revenues and is expected to continue through 2020.

Council member/ Chairman Ray agreed, saying the Commission must be optimistic.

Commissioner Andy Patel stated he is being realistic, saying revenues will be impacted by both construction and the changes to the minimum wage.

Council member/Chairman Ray said cuts can always be made.

Commissioner Andy Patel commented if the revenues remain unchanged, he does not want to see a report next year that is not within budget.

Council member/Chairman Ray stated the Commission would be in budget and suggested the Commission proceed to the next item.

Recording Secretary Wilmoth presented the administrative/operational expenditures section of the budget noting a decrease of \$300.00 in the supply line item, explaining it was decreased because the Commission would not have an additional expenditure for checks in 2019. She noted a \$25.00 decrease in the postage line item, along with a \$25.00 decrease in the stage insurance line item. She also noted expenditures for audit services, city attorney, temporary services, and the recording secretary remained the same as budgeted in 2018. She related the credit card fees line item was increased from \$300.00 to \$350.00, explaining there has been an increase in the number of clients that prefer to remit payment by credit card.

She noted the addition of a line item for accounting software, explaining the Finance Department has been using Microsoft Access to enter the payments received and has "outgrown" the existing software. She related the city's current accounting software BS&A has a receivables module the Finance Department would like to purchase which will be used to not only receipt prepared and hotel/motel revenues but will be used for other city services. She stated the cost for the module is \$20,000.00 however; Finance Director Erkel is only requesting \$4,000.00 from the Commission to cover its portion.

Discussion ensued.

Finance Director Erkel further clarified BS&A is the accounting software used by the city which includes several different modules that encompass it. She explained there is an additional module that will take care of miscellaneous receipts. She stated currently Microsoft Access, which is a database, is being used to enter prepared food and hotel/motel receipts. She continued saying the city has outgrown Microsoft Access, explaining the new module will help to simplify the process of recording payments. She noted the total cost for the module is \$20,000.00, explaining she is only requesting a percentage from the Commission because this module will be shared with the city.

In response to a question from Commissioner Andy Patel, Finance Director Erkel replied the module is necessary because Microsoft is phasing out Access and therefore there will be no support for Access so the city needs to do something different in order to continue.

Commissioner Andy Patel requested if there is information that needs to be discussed, he needs to know at least before the meeting regarding that part. He stated there is nothing wrong with upgrading but \$4,000.00 is also spending from the A & P budget and the commissioners need to know.

Council member/Chairman Ray noted it is included in the budget and is what the Commission is discussing. He stated anytime new things are added, he sees nothing wrong with adding it to the budget and bringing it to the Commission.

Commissioner Andy Patel stated he is not saying anything is wrong but would like to receive additional information prior to the meeting.

Recording Secretary Wilmoth noted the addition of a line item for website maintenance in the amount of \$1,800.00. She explained the existing website was created and maintained by Pixel Perfect Creative which is a sister company of the Sells Agency. She stated the yearly fee will ensure the content will be maintained and kept current.

Council member/Chairman Ray related the Commission will be keeping its website, saying the website has to be updated and constantly maintained.

Recording Secretary Wilmoth noted the expenditures for administrative/operational costs proposed totaled \$38,625.00. She further noted the next section within the budget was for special projects, relating the first funding request was from Parks and Recreation for marketing in the amount of \$40,000.00, explaining \$33,430.00 was approved in 2018.

In response to a question from Commissioner Andy Patel, Recording Secretary Wilmoth replied the item includes marketing for the Parks and Recreation department to include their events and digital marketing.

A detailed document outlining the proposed expenditures was noted to be included with the funding request.

Discussion ensued with Recording Secretary Wilmoth clarifying the amount was directly expensed to the Parks and Recreation Department in 2018 however; there will be a change in 2019 as to how funds are expensed.

She continued saying the next funding request from the Parks and Recreation Department was in the amount of \$14,000.00 for Big Bang on the Range. She related the 2018 approved expenditure was \$9,700.00.

Commissioner Andy Patel questioned the increase in the requested amount.

Parks and Recreation Marketing and Programs Manager Marlo Jackson related that Big Bang on the Range has grown to be huge, explaining the Shooting Range parking lot is full. She stated in the past they have typically had fireworks and a couple of bounce houses. She continued saying they wanted to make this into a bigger community event so it will be an all-day event.

Council member Elliott questioned if funds received from sponsorship sales of t-shirts etc. could be put into the budget to offset expenditures.

Ms. Jackson replied any funds collected per her understanding are placed into the general fund for Parks and Recreation programs. She stated if funds are donated for a specific event such as Trunk or Treat; those funds are specifically used for that event.

Commissioner Andy Patel confirmed with Ms. Jackson that the budget submitted was for the entire event and that it was an A & P event.

She agreed.

He questioned how she advertised the event was an A & P event and how does she let the taxpayer's know the event is funded by the A & P Commission.

She replied most of the time the Commission is listed as an event sponsor just like any other advertiser. She related any external has the Commission listed as a sponsor.

Commissioner Andy Patel recalled discussion that any funds expensed by the Commission to an entity must have the Commission listed as a sponsor on the entity's advertising materials.

Ms. Jackson replied the Commission is always listed as a sponsor however; it is sometimes more difficult regarding t-shirts because of the timelines and the addition of last-minute sponsors.

Commissioner Andy Patel stated it is very important that the Commission be listed as a sponsor on t-shirts regardless of whether additional sponsors are added later.

She replied it definitely could be done.

He commented it is very important for the taxpayer to see where the money is coming from. He continued saying she is doing a good job and to keep it up.

Commissioner Hurley questioned whether the Commission was going to address each line item and discuss and then go back and discuss how much money the Commission is going to expense to each one.

Council member/Chairman Ray replied once the Commission goes through each line item, he is going to call for a vote to approve each item as presented.

Commissioner Hurley questioned if Chairman Ray wanted the Commission to approve the funding requests for the amount requested.

Council member/Chairman Ray answered affirmatively.

Commissioner Hurley disagreed, stating the Commission would be present until the same time the next day. He questioned if Chairman Ray was recommending the funding of every item requested.

Council member/ Chairman Ray answered "yes".

Discussion ensued regarding the best way to proceed with Commissioner Hurley stating the Commission needed to take the budget line item by line item and discuss the amount and approve the amount at that time with a running total being kept to see where the Commission is at the end to see what additions or corrections are needed at that time.

Discussion ensued regarding the best way to proceed.

Council member Elliott questioned the need to have fireworks at FestiVille.

Ms. Jackson replied they try to consistently improve every event. She related some things work and some things do not, explaining they have struggled with food competitions. She stated when people attend an annual event they are looking for what is new at events and they wanted to add something new to FestiVille.

It was noted that fireworks draws people.

She related FestiVille is the largest community event Jacksonville has. She noted the Fire Department held a fireworks training demonstration in April and it was not only attended but posted on Facebook, saying apparently fireworks are important at any time of the year.

City Attorney Bamburg commented as someone who worked on the festival for several years, getting people to stay for a nighttime event has always been a real challenge, adding Jacksonville has not been successful in that regard. He reiterated fireworks draws patrons and then the patrons will use the carnival setting and whatever booths remain open at night as a potential draw to extend the festival program into the nighttime hours which is always a struggle.

Commissioner Andy Patel confirmed with Ms. Jackson that advertising funds were included within the marketing line item for each event. He stated it would be a good idea to make sure the fireworks were advertised since it was the first time for FestiVille. He also cautioned spending funds wisely.

Recording Secretary Wilmoth related the next funding request was for the Christmas Parade in the amount of \$1,000.00 which was the same amount approved in 2018. With no discussion, she continued with the next line item which is for a new event, Music in the Park, in the amount of \$7,500.00.

Ms. Jackson related the concert did not go as planned this year, adding there is a lot of interest in a music event. She stated as opposed to FestiVille, which is a carnival environment; Music in the Park would just bring in bands to play in March.

In response to a question from Commissioner Andy Patel, Ms. Jackson replied everything they do promotes Jacksonville by bringing people to the city therefore, they stay in hotels. She explained it is an entire weekend event so bands and people would stay in the hotels and eat in area restaurants.

Council member Elliott stated regarding the next few new items, he discussed them with Parks and Recreation Director Kevin House, and all of them are good ideas but he can see that if they are all funded, it would overload the Parks and Recreation Department so much so the employees would not be able to handle it all. He stated these events would incur overtime in the Parks Department as well as the Police Department. He continued saying he did not feel every event should be funded but suggested looking at these requests again at the beginning of the year. He suggested concentrating on the existing events to continue to improve them.

Council member/ Chairman Ray questioned if the Parks Commission had approved these events as presented.

Ms. Jackson replied the Parks Commission was not meeting at the time these events were discussed.

He then questioned when these events would be presented to the Parks Commission.

Ms. Jackson replied at the next meeting, saying they have only met one time.

Council member Elliott commented if there are too many events, and each one needing additional sponsorships, it would place additional pressure on the business owners who receive requests from not only the Parks Department but the Chamber of Commerce and the schools along with other entities.

Commissioner Hurley moved, seconded by Council member Elliott to not approve funding for Music in the Park, Cupid Shuffle 5K, Chill in the Ville 2019, and Farmer's Market at this time in the amount of \$16,100.00 but to revisit funding in spring 2019 or later in the year. Motion Carried.

Recording Secretary Wilmoth reported the next funding request for consideration was for Reed's Bridge upgrades in the amount of \$19,250.00.

Council member Barbara Mashburn related she helped to put together this request to upgrade Reed's Bridge by placing electric lights and a restroom on the site. She said if the upgrades are made, more people would come to Jacksonville for events at Reed's Bridge. She noted that Reed's Bridge presently does not have lights or restrooms. She continued saying if we want people to come and spend money in town to increase revenues, we need to give them a place to go and have events; this gives the Parks Department more opportunities to have events at Reed's Bridge, saying people will come to see them.

In response to a question from Commissioner Andy Patel, Council member Mashburn replied the Parks Department would be responsible for maintenance and upkeep.

Replying to a follow-up question, she stated the Commission would be a sponsor. She explained the Commission is basically putting electricity on site and upgrading Reed's Bridge so people can use it. She said that presently Reed's Bridge cannot be used because it does not have electricity or restrooms unless you want to use the old outhouse type restroom.

Council member Elliott questioned if the Reed's Bridge Battlefield Preservation Society was in agreement with the upgrades, noting Tommy Dupree had wanted to keep Reed's Bridge period correct.

Council member Mashburn said they are in agreement with the upgrades. She said she spoke to Mike Kish, who takes care of Reed's Bridge and Director House who agreed this would benefit Reed's Bridge as well as Jacksonville.

In response to a question from Commissioner Andy Patel, City Attorney Bamburg replied the request is through the Parks Department, the only question is who owns the property, the Reed's Bridge Battlefield Preservation Society or the city. He continued saying his recollection is the property is owned by the city.

Discussion ensued, with Mr. Warren Dupree stating his recollection the matter had been addressed by the City Council regarding property ownership.

Commissioner Billy Hall expressed concerns regarding the potential for property vandalism.

City Attorney Bamburg offered all of the parks' facilities suffer through that circumstance, saying Ms. Jackson can provide additional information.

Council member Elliott suggested if the request were funded, security cameras should be considered to help deter some vandalism.

Commissioner Andy Patel questioned the number of visitors to Reed's Bridge and the method of tracking visitors.

Mr. Dupree replied it would be a guess based on what he saw a few years ago of 80 to 90 visitors per month without events, explaining the figure is based on people who signed the guest register.

Ms. Lida Feller related she is the First Chair of the Jacksonville Historical District, saying they created a Frontier Christmas event which is held at Reed's Bridge. She stated the event was held last year, explaining it was kind of thrown together because it was one of her creations. She related there were 100 to 150 people in attendance, explaining it took two weeks to put together and advertise the event. She said they are having the event again this year; if they had electricity that would help as far as some of pictures being made. She explained the Historical District has a Santa Claus and sleigh as a fund raiser for replacement of a roof. She offered in the past, the Civil War re-enactors held an event on Halloween. She said something similar would draw a lot of people.

Commissioner Andy Patel confirmed the restroom would be a unisex facility.

Commissioner Hurley offered in keeping with what Commissioner Andy Patel has previously said, the Commission is anticipating a certain amount of revenue in 2019, which is not a guaranteed amount, explaining he is aware that sales can be “soft” as they have been in the last half of this year and going forward with some of the impact.

Commissioner Hurley moved, seconded by Commissioner Hall to not fund the Reed’s Bridge Upgrades request in the amount of \$19,250.00 at this time and to revisit the request sometime in 2019, when the Commission has a better handle on what the revenues are. Motion Carried.

Council member/Chairman Ray proceeded to the next funding request for the Museum of Military History’s Stars and Stripes Gold Tournament in the amount of \$3,100.00.

Commissioner Andy Patel confirmed the same amount was funded this year. He also stated he wants to make sure it was noted the event was funded by the Commission.

Council member Elliott noted the Museum had a large sign stating the event was funded by the Jacksonville Advertising and Promotion Commission.

In response to a question from Commissioner Hall, Mr. Dupree replied there were 22 teams which is a pretty good turnout for October quite successful. He continued saying all entry fees paid go to the general operations of the Museum.

Recording Secretary Wilmoth noted the next funding request was for the Museum of Military History’s Heritage Day in the amount of \$1,200.00, explaining the Commission funded the event in 2018 in the amount of \$1,400.00 with a \$200.00 decrease in the request for 2019.

Mr. Dupree explained the Museum has been hosting Heritage Day for the past ten years, noting May is Arkansas heritage month. He stated the event is essentially a Jacksonville appreciation day with a celebration of the Museum held on the Saturday before Memorial Day each year. He related Centennial bank provides grilled food for the event. The Museum provides live entertainment and has looked into having more family offerings. He said they were originally an alternative for people looking to avoid the large crowds at Riverfest. He noted attendance is around 120-150 people with free Museum admission, explaining they show a couple of movies with the licenses purchased by the Museum. He related that not only does the Museum have signage that states the event is funded or partially funded by the A & P Commission but they also have banner and sign streamers they display for an A & P event. He explained the request for 2019 was reduced because they were looking at getting a bounce house for the event but they backed out due to not having enough volunteers to man it.

Recording Secretary Wilmoth noted the next funding request was for the Museum of Military History for the Night at the Canteen event in the amount of \$3,750.00, funded in 2018 for \$3,125.00.

Mr. Dupree explained the increase saying he inadvertently switched the numbers for the Night at the Canteen and Welcome Home Vietnam Veterans events on the 2018 requests.

He said the fund raiser has become a significant event with support received locally and from other parts of the state by various organizations that periodically use the Museum for events. He stated the event was a huge success this year and is held on the second Saturday in March, adding it is the principal fund raiser of the year.

Commissioner Andy Patel commented the Commission needs to be sure funded events bring people to Jacksonville to stay in area hotels, eat in the restaurants, and shop locally.

Mr. Dupree noted this event has a good draw and impact because there are local and state politicians attending along with officers and people from the command group from the Little Rock Air Force Base (LRAFB). He said it is a really good blend of people who love and support the Museum coming to Jacksonville and a good outreach event.

Recording Secretary Wilmoth related the next funding request was from the Museum of Military History for the Welcome Home Vietnam Veterans' event in the amount of \$3,600.00, funded in 2018 for \$3,900.00.

Commissioner Hurley noted the request is only a \$250.00 increase since Mr. Dupree switched the numbers, saying he is okay with it.

In response to a question from Commissioner Andy Patel, Mr. Dupree replied attendance has stabilized. He explained the Museum was one of the first entities to hold a Welcome Home Vietnam Veterans' event in conjunction with the Department of Defense who sent a retired lieutenant general to view the first event, saying he was ecstatic about it and stated it was the sort of event the Department of Defense had in mind at the time. He related the Museum usually hosts 100-110 veterans and their families. He explained the reason for the stabilization is there are now several around the area that are held yearly, saying they still have some out of state veterans each year. He noted the event is advertised for free in veterans' magazines distributed nationwide and worldwide. He stated the funds are used for entertainment costs, support expenses, and for the dinner held on the grounds that is free for the veterans and usually for the family members of the veterans. He noted the family members are usually care givers for the veterans who are advancing in age. He commended the Commission, saying the Commission has essentially owned the event since it was started and are very good supporters.

In response to a question from Commissioner Andy Patel, Mr. Dupree replied they have had some communication with the Chamber of Commerce in the past but look forward to working with the new director as this is an opportunity, adding the Museum could do a better job of tying in an outreach within the community. He said they held a parade for a couple of years however; it was difficult to get participants so they discontinued it.

Recording Secretary Wilmoth related the next funding request was for the Museum of Military History in the amount of \$40,000.00 for Operations Assistance. She explained the request has been submitted in previous years but has not been recently funded.

Commissioner Jim Hurley moved, seconded by Commissioner Andy Patel to not fund the request from the Museum of Military History for Operations Assistance in the amount of \$40,000.00 based on pending litigation until the Commission receives clarification. Motion Carried.

Recording Secretary Wilmoth noted the next line item was the Chamber of Commerce contract in the amount of \$35,000.00. She said the 2018 contract was signed for \$35,000.00, explaining there has been some discrepancy based on the minutes which indicates discussion of \$17,500.00 for half of the year.

Commissioner Andy Patel stated there was an issue as a private entity that the Chamber of Commerce could not be funded but as an A & P Commissioner he wants to bring the Chamber of Commerce Director to the podium to explain because he wants to see that this Chamber needs to work hard and has to show the results for Jacksonville, which is number one. He said the Commission does not mind to tie with the Chamber of Commerce and fund that money but the Commission would like to see some improvement which has not happened in the last few years.

Commissioner Hurley remarked he did not know if Commissioner Andy Patel was at the meeting or two or several meetings the Commission had concerning this \$35,000.00, explaining City Attorney Bamburg helped with drawing up a contract based on tourism so the Commission was able to fund it. He continued saying the discussion has been held in three or four different meetings, adding he does not mind them going through the same litany but it has been discussed and it is pretty clear in his mind that it is okay to do it based on the wording of the contract.

City Attorney Bamburg stated to make the record clear on that, he worded the contract as best he could but he still told the Commission he did not believe it was an appropriate expenditure. He reiterated he wanted to be sure that was clear.

Commissioner Andy Patel said according to City Attorney Bamburg the Commission cannot have a signed contract and fund the Chamber of Chamber.

City Attorney Bamburg stated his opinion the advertising and promotion money is set for a specific purpose, which is the advertising and promotion of Jacksonville. The statute that addresses it specifically says it is not to be for funding of Chamber of Commerce activities. In this circumstance, the Commission directed him to draft a contact that would protect the Commission as best as he was able to do, which he did, however; he still holds to his standard that this is not an appropriate expenditure of A & P money because it is not going to specific event based circumstances.

Commissioner Andy Patel remarked it still means the Commission is in the "gray" area, noting there has been a lot of discussion within the last couple of years regarding this. He questioned if the Commission could fund it or to find some other way to fund the money to the Chamber of Commerce if it is still in the "gray" area. He stated he does not recommend funding anything the Commission can be held accountable for. He said he is in support of the Chamber of Commerce, that is personal, but if it is still a "gray" area, he does not agree to do anything. He continued saying he is uncertain how the Commission funded the \$17,500.00 this year, questioning what that was.

City Attorney Bamburg related the Commission approved the funding.

Commissioner Andy Patel questioned if the Commission could be trouble for that.

Council member/Chairman Ray replied “no”.

City Attorney Bamburg stated he begged to differ on that.

Council member/Chairman Ray stated cities that have an advertising and promotion commission are funding the chamber of commerce in whatever things they can do and have no problem doing it.

City Attorney Bamburg said he disagreed with that statement.

Council member/Chairman Ray noted the Commission has funded it and should go ahead and fund the rest of the \$35,000.00 because the discussion is the promotion of Jacksonville.

Commissioner Andy Patel reiterated his support of the Chamber of Commerce.

Council member/Chairman Ray said the Commission is within the law to support the City of Jacksonville, adding they are going through the contract process just like the City Attorney has written.

Commissioner Andy Patel stated he has heard City Attorney Bamburg and is also in favor of that but will make a motion to approve \$35,000.00 to sign the contract and pay the Chamber of Commerce in 2019. He said he can take that responsibility and has the guts to do it. He stated the Chamber of Commerce, as a board of director and as a chief executive officer, has to do a good job of explaining to the Commission and the taxpayers the Chamber will use the money wisely and will show results, which he has not seen in the last few years.

City Attorney Bamburg offered the motion is not required because it is not changing what is proposed but it can be included if the Commission wants it.

Council member/Chairman Ray stated the Commission will not include it.

Chamber of Commerce Board President Sheryl Boyd asked if they could inquire about this year because they believe they are due the full \$35,000.00 this year based on a meeting she attended with Council member/Chairman Ray, Recording Secretary Wilmoth, City Attorney Bamburg, Mike Wilson, and Amanda Lovell. She said she thought because the agreement did not come about until June, the Chamber was only going to get half of the money. She continued saying she thought that because she did not want to be greedy and appreciates the Commission helping them out. She offered her feeling they are doing a great job in return for what the Commission is giving them. She stated that aside, she thought \$17,500.00 and in the meeting she said that and the City Attorney said in the meeting “no Sheryl we voted for \$35,000.00 and you are getting the full \$35,000.00.” She thought that is great and then they hired somebody.

City Attorney Bamburg corrected Ms. Boyd saying he said the funding was for \$35,000.00, what the Commission did with it after that they had to approve on each expenditure request that was submitted.

President Boyd stated this was after the contract had been signed and they were trying to figure out how to fill out the invoice.

City Attorney Bamburg said he knew that because the Commission had to help the Chamber figure out how to bill correctly.

Chamber of Commerce Director Courtney Dunn questioned if the Chamber could continue to submit invoices for the remaining \$35,000.00.

City Attorney Bamburg replied it would be the Commission's decision.

Director Dunn asked if she could continue to invoice events the Chamber of Commerce has been doing to promote Jacksonville.

City Attorney Bamburg reiterated again it was the same answer.

Director Dunn related she is asking everyone.

President Boyd said one of the things they agreed to help with, by the way, was the Christmas Parade, which has not happened yet so it would be something to invoice.

Commissioner Hurley told President Boyd to hold on, saying the Commission approved \$17,500.00.

President Boyd and Director Dunn noted the contract states \$35,000.00.

Commissioner Hurley stated that was for a year, which is his understanding.

President Boyd asked if the contract was going to go from June to June.

Commissioner Hurley said he did not say that. He continued saying he thought the \$35,000.00 was for a year, noting it was not brought before the Commission until May.

President Boyd said to keep in mind that she had been trying since February.

Commissioner Hurley stated President Boyd may have but the Commission approved funding \$17,500.00 for the remainder of 2018 which is his understanding, adding he could be mistaken but that was for half of the year for that particular position, so times two would be the request for 2019 to fund the position. He said any other request for funding cannot be invoiced, it has to be presented and the Commission would have to approve the request.

Director Dunn said she was informed she would have to invoice based on event.

Commissioner Hurley stated the Chamber cannot have an event and decide they are going to invoice; it has to be brought before the Commission prior to the event.

Director Dunn stated she was doing what she was asked to do.

Commissioner Hurley said okay, adding he is doing what he is supposed to do.

Director Dunn related she would love to bring everything before the Commission.

Commissioner Hurley stated otherwise, anybody out there could just start invoicing and the Commission is going to pay it.

Director Dunn stated she does not know what she is supposed to do.

Council member Elliott offered what he understood of the contract which was \$17,500.00 for the remainder of the year with submission of invoices on the amount for the work they were doing.

Commissioner Hurley clarified on the \$17,500.00 amount not additional invoices.

President Boyd said she does not really remember anything about \$17,500.00 except her assuming that since it is June, that would be half of the year. She continued saying at the meeting she learned it was the full \$35,000.00 for calendar year 2018.

At this time, Council member/Chairman Ray asked Recording Secretary Wilmoth to read from the minutes.

Commissioner Andy Patel asked if it was too late to approve additional funding to the Chamber other than what they are requesting beyond the \$17,500.00.

Council member/Chairman Ray said he thought so.

Commissioner Andy Patel stated if the Commission wants to support the Chamber, it is going to be on a year-to-year basis, if the Commission does not see it is money spent wisely the Commission can remove going forward. He said he supports the Chamber of Commerce.

At this time, Recording Secretary Wilmoth read from the May 21, 2018 Commission meeting minutes:

“Councilman Elliott moved to approve the contract as presented.

Commissioner Hurley stated that under consideration, line item two, “funding for this calendar year should be no more than \$35,000.00”, does this go back to January 1st as opposed to this agreement from June 1st.

City Attorney Bamburg stated that it does not have retroactive application, explaining the contract is for June 1st to December 31st for no more than \$35,000.00 a year, which is what he was told and what is written in the contract.

Commissioner Hurley confirmed the maximum was \$35,000.00 from January 1st until December 31st.

City Attorney Bamburg clarified it was for 2018 and any renewal or additional funding would have to be approved by the commission.

Councilman Elliott questioned why it could not be approved for a year from now.

City Attorney Bamburg explained the commission can only approve funds for the current calendar year.

Discussion ensued and it was noted that there was seven months remaining for a total of \$20,416.00 or \$2,916.66 per month.

City Attorney Bamburg noted that six months would be \$17,500.00, adding that a second to the motion was needed before continuing with discussion.

Commissioner Hurley seconded the motion. Motion Carried with Commissioner Hall voting against.

Councilman/Chairman Ray stated that under the agreement, the commission agrees to finance six months of this year.

Discussion ensued over the starting date and it was noted that the contract states June 1st to December 31st, which is seven months.

Sheryl Boyd stated that if the contract period was \$2,916.66 per month, by the time they get a new job description written, posted, and interview, she really doesn't think that a person will be in place prior to June 1st. She added that she would aim for July 1st at this point, which would be six months.

Councilman/Chairman Ray questioned if the secretary and the finance director could come up with a figure and he will sign it."

Commissioner Hurley stated that was six months of funding for a total of \$17,500.00, which is clear as church bells to him.

Commissioner Andy Patel related his understanding when the Commission funds to any entity the Commission does not break it down by month, questioning if that is accurate. He continued saying it is just by the calendar year, January through December, if the Commission budgeted or funded \$20,000.00, the Commission does not divide by twelve months, the Commission has to pay the funds within the timeframe.

Council member/Chairman Ray stated the Commission is forgetting the contract, the invoice per contract requests funding and somewhere the Commission is missing why they are not funding the \$35,000.00 at one time, adding he would like to fund it all at one time however; the City Attorney is saying the Commission might not be able to do that and the Chamber would have to show they are promoting the City of Jacksonville through the contract.

Commissioner Andy Patel stated regardless of whether it started in June if there is a need to fund more than \$17,500.00, he believes the Commission could do so, that is his understanding.

Council member/ Chairman Ray commented that is what he would like for it to be.

**A & P Commission
Special Meeting
November 08, 2018**

City Attorney Bamburg stated the contract has already been set and approved for \$35,000.00 however, the Commission has to approve whether anything is paid, and adding there was extensive discussion as Recording Secretary Wilmoth read about using half a year's funding amount because it was not going to kick into play until June. He continued saying any expenditures under the contract are up to the Commission, the contract states \$35,000.00 for 2018. He related there is no requirement for an additional motion, just whether the Commission chooses to approve the expenditures or not.

Council member/Chairman Ray moves to fund the contact for \$35,000.00 and move on.

Director Dunn asked if her September invoice needs to be approved.

Commissioner Hurley stated it was a separate issue.

City Attorney Bamburg reiterated it was a separate issue and not on today's agenda.

Commissioner Hurley confirmed the approved funding was in the amount of \$35,000.00 from January 1st to December 31st of 2019.

He stated the Commission approved \$17,500.00, which started June 1st through December 31st 2018. President Boyd, as the minutes said, adding he remembers the conversation, stated she would not have time to find somebody or hire someone until the first of June. Okay, great so when Director Dunn was hired, adding he does not know when that was, there was \$17,500.00 for this year that is funded.

President Boyd commented she remembers the conversation now but it sounds to her like Commissioner Andy Patel and City Attorney Bamburg.

At this point, Council member/Chairman Ray said "right, right" and asked President Boyd to have a seat, saying it was not the Commission's last meeting for the year. He stated this meeting was a budget meeting, adding the Chamber has been funded \$35,000.00 for 2019.

Council member Elliott asked for a clarification.

Council member/Chairman Ray stated the budget request for 2019 was for \$35,000.00.

Commissioner Hurley offered it was for the Chamber of Commerce contract for 2019, saying the 2018 contract was approved for \$17,500.00.

City Attorney Bamburg reiterated the Commission approved \$35,000.00, saying he has said it multiple times. He reminded the Commission this is a special meeting with an agenda to address the 2019 budget, saying 2018 expenses are not being addressed, which is what seems to be the burying ground right now and the Commission needs to move away from that because it is not part of the agenda. Otherwise, the rules would need to be suspended for it to be addressed.

Recording Secretary Wilmoth noted the next funding request was from the Jacksonville Historical District for Roof Repair at 120 North First Street in the amount of \$15,000.00, which is a new request for the Commission.

Council member Mashburn noted a lengthy proposal was submitted with the request as to what has been done so far and what they will continue to do. She related the building they purchased does have roof damage and they are trying at this time to get it fixed so they can have an interactive museum.

Council member/Chairman Ray stated he recommended this request be submitted to the Commission because they are going through the motions of fund raising to replace the roof. He said if the Commission approves funding, the roof can be replaced sooner and progress can continue.

City Attorney Bamburg stated the issue is the building is owned by the Jacksonville Historical District and not the city.

Council member/Chairman Ray questioned if the Historical District could contact with the Commission.

City Attorney Bamburg replied again, what services are they going to provide and whether the Commission is going to approve a specific amount and whether it is going to be for particular services the Historical District is going to provide. He continued saying making repairs to a roof for property that does not belong to the city is not something the Commission can do.

Council member/Chairman Ray suggesting tabling this item until it can be worked out.

Discussion ensued.

Commissioner Hurley moved, seconded by Commissioner Andy Patel to not approve the \$15,000.00 funding request for the Jacksonville Historical District for Roof Repair at 120 North First Street at this time. Motion Carried.

Council member/Chairman Ray stated his plan was to ask the Downtown Revitalization group to add this property just like the city owns the Reed's Bridge property.

Recording Secretary Wilmoth related the next item was in the amount of \$4,000.00 for the LRAFB. Explaining in 2019 they will be hosting their 71st birthday ball. She related funding has previously been approved for this amount.

She continued with the next funding request for the Wheeling and Healing Car and Truck Show in the amount of \$2,500.00. She reminded the Commission of Mr. Goodsell's presentation provided at the September meeting and is the first year for the request.

Commissioner Andy Patel asked if it were possible for Mr. Goodsell to have a two-day event.

City Attorney Bamburg stated it could be requested but as someone who goes to a number of car shows each year, they normally do not extend them over a day. He continued saying commonly they are a day event unless they are having a huge show such as the one in Daytona, Florida that is held in November where thousands of cars are included. He said car shows held in Arkansas are typically one-day events.

Recording Secretary Wilmoth stated she had mentioned the suggestion to Mr. Goodsell.

Commissioner Bush offered that Mr. Goodsell had said some participants arrive the day before the event.

Recording Secretary Wilmoth noted the next two line items were the revenues due to the Parks Department, noting the amount is one percent of what the Commission collects to offset the deficit in the Parks Department budget through the general fund. She noted the proposed expenditures are projected to be \$29,025.00 for hotel/motel and \$397,850.00 for prepared foods.

She reported the next item was for the Governor's Conference on Tourism in the amount of \$600.00, explaining \$750.00 was approved in 2018 however; she adjusted the amount based on expenditures received in 2018.

Finance Director Erkel noted with adjusts made by the Commission, the total amount for special projects is \$573,025.00.

Commissioner Andy Patel moved, seconded by Commissioner Hurley to approve the 2019 budget as amended. Motion Carried.

ANNOUNCEMENTS:

Recording Secretary Wilmoth read the announcements of the upcoming events which included The Holiday Craft and Gift Sale and the 61st Annual Christmas Parade.

Council member/Chairman Ray thanked the Commissioners for their time and for agreeing to the change of date. He stated that it was a very through discussion of the budget.

ADJOURNMENT:

With no further business, Councilman/Chairman Ray adjourned the meeting at 11:45 a.m.

CITY OF JACKSONVILLE, ARKANSAS
Advertising and Promotion Commission



A & P Commission
Regularly Scheduled Meeting
November 29, 2018

CALL TO ORDER:

The Jacksonville A & P Commission met in the regular meeting place of the Commission on Thursday, November 29, 2018. Council member/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, David Bush, Jim Hurley, Billy Hall, and Council member Kenny Elliott answered roll call. Council member/Chairman Reddie Ray also answered roll call and declared a quorum. Present (6), Absent (1) Commissioner Andy Patel was absent.

Others present for the meeting included: Recording Secretary Nikki Wilmoth, City Attorney Robert Bamburg, Mayor Gary Fletcher, Parks and Recreation Director Kevin House, Parks and Recreation Marketing and Programs Manager Marlo Jackson, Chamber of Commerce Board President Sheryl Boyd, Chamber of Commerce Director Courtney Dunn, Dr. Bob Price, and Warren Dupree.

MINUTES:

Council member Kenny Elliott moved, seconded by Commissioner Jim Hurley to approve the minutes from the October 29, 2018 and November 08, 2018 meeting as presented. Motion Carried.

FINANCIALS:

Council member/Chairman Ray stated the financial report would be presented by Recording Secretary Wilmoth in Finance Director Cheryl Erkel's absence.

Recording Secretary Nikki Wilmoth presented the financial report for October noting total assets of \$589,799.00, explaining \$252,466.00 are investments. She reported total liabilities of \$35,928.00. She noted revenues of \$637,562.00 and expenditures of \$660,129.00 with expenditures exceeding revenues in the amount of \$22,567.00.

She reported September hotel/motel gross receipts of \$190,547.00, which is a 5% decrease regarding the year-to-date comparison and a 6% decrease regarding current month comparison. She reported prepared food tax gross receipts of \$2,982,806.00, which is a 2% decrease regarding year-to-date comparison and a 8% decrease for the current month comparison. She reported overall gross receipts of \$3,173,353.00, which is a decrease of 2% regarding year-to-date comparison and an 8% decrease regarding current month comparison.

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

OLD BUSINESS:

A. Chamber of Commerce Invoice \$7,150.00

Council member/Chairman Ray noted the invoice covers the period from September 1st through September 30th asking if the Commissioners had any questions regarding the invoice that has been submitted.

Commissioner Billy Hall questioned if this was in addition to what the Commission has already approved for the Chamber of Commerce.

City Attorney Robert Bamburg clarified the invoice was part of the \$35,000.00 contract. He explained the Chamber has to submit an invoice each month and because of the nature of some of the expenses on this invoice, Recording Secretary Wilmoth has asked the Commission to review and determine if the charges are appropriate.

Council member Elliott moved to approve the expenditure of \$7,150.00 to the Chamber of Commerce.

Commissioner Hurley seconded the motion, adding he did not know if it was right.

He added that obviously they owe \$7,100.00 somewhere.

Council member/Chairman Ray stated this is what they were asked to do according to the contract.

City Attorney Bamburg clarified the Commission asked the Chamber to invoice but did not ask for those specific charges, saying lets be very distinct about that remark please.

At this time, Council member/Chairman Ray called for a vote with only Council member Elliott voting "aye" and the other commissioners not voting for or against. He stated the motion was approved.

City Attorney Bamburg pointed out only one commissioner voted and requested a voice vote be taken.

Council member/Chairman Ray called for a roll call vote to the motion.

Recording Secretary Wilmoth called roll with Commissioners David Bush, Ray Patel, and Billy Hall voting against and Commissioner Hurley and Council member Elliott voting for the motion.

City Attorney Bamburg noted the vote was 3-2 and the motion has failed.

He stated for that purpose the Commission needs to give the recording secretary some instructions so she knows what to approve or disapprove because it is going to have to be paid in some form or fashion.

Council member/Chairman Ray clarified that City Attorney Bamburg is saying the Commission needs to give the recording secretary some kind of idea on how to pay this, asking if that is what the City Attorney is telling him.

City Attorney Bamburg stated the recording secretary needs some guidance from the Commission as to what the Commission feels is an approvable charge and what is not an approvable charge; given the nature of the vote, that means there are things in the invoice the Commission does not approve of. The Commission needs to let the recording secretary know so she can go through and address them with the Chamber to determine what is appropriate and what is not and what the actual amount should be.

Council member/Chairman Ray said the Commission needs to go through the invoice line item by line item, questioning if that is what City Attorney Bamburg is saying.

Council member Elliott remarked he did not think that was what was said.

City Attorney Bamburg commented he thinks the Commission needs to give the recording secretary some advice because right now that is why she forwarded the invoice to the Commission. If the Commission goes line item by line item that is fine, adding his remark was made so the Commission can give her direction to know which charges the Commission thinks are questionable. He continued saying she needs help otherwise, the Commission is leaving her out in the dark and that is not fair to her.

Chamber of Commerce President Sheryl Boyd stated she said in the beginning she did not know what she is doing; adding she thinks the Commission knows that. She said she would never try to take advantage of anybody. All she knows is they started the year looking at \$35,000.00 and halfway through the year she thought, since they were half-way through the year, it would be \$17,500.00. She stated that is where the minutes that were read at the last meeting came from. She continued saying they finally got a contract that stated \$35,000.00. She said she learned they had to start submitting invoices. She stated the first invoice that they submitted was before Courtney came and it was basically just June installment and she had divided the amount by six. She then learned they had to itemize things and she thought "how do I do that". She stated that Recording Secretary Wilmoth has given them some guidance however, she really had no idea what to write down and what to charge the Commission for. She said they are trying to promote the city and so then, they had a meeting, adding there were six present at the meeting, and they were given some direction and that is where she learned that it was the full \$35,000.00 that they got. She said she is learning this as she goes. She stated that last time, they shouldn't have brought it up when the 2019 budget was being discussed and apologized, adding again, she was trying to get some clarification. She asked how to divide \$17,500.00 over six months or \$35,000.00 over six months. How do you evaluate everything they do down to the penny and the monthly invoices too are not supposed to be an even dollar amount, they have to be different every month. She remarked that it was a hard task, saying that is where she stands. She then thanked the Commission.

Council member/Chairman Ray stated the Commission needs to give the Recording Secretary Wilmoth some guidance for whatever invoices the Chamber can submit anytime. He questioned what direction he needs to go so that he doesn't go line item by line item. He said if he looks at the invoice which states management social media campaign \$500.00, television appearance promotion FestiVille \$800.00, radio Power 92.3 appearance promotion FestiVille and 5K one that is \$200.00, email marketing management \$300.00, totaling \$1,800.00. He asked if the Commission agrees that the Chamber of Commerce should be reimbursed on the invoice for \$1,800.00 for advertising and promotion. He asked what other way could he go.

Commissioner Hall stated he doesn't object to that however, he expressed concern regarding the \$500.00 charge for setting-up and tearing down a booth at FestiVille and the \$300.00 charge to hand out materials.

Chamber of Commerce Director Courtney Dunn acknowledged that it was hard to put a dollar amount on promoting and doing stuff like that. She continued saying that it was hard to know what they were supposed to be putting on the invoice and then trying to place a dollar amount.

Commissioner Hall commented the Commission doesn't know either, adding if it wasn't for the lawsuit the Chamber of Commerce's as well as the Commission's job would be a lot easier.

City Attorney Bamburg related there was a meeting where the nature of the invoice was outlined as it needed to be; as to putting a dollar value to a particular item, it is the cost of what that service, promotion, or activity costs for the Chamber that they are seeking reimbursement from the Commission for. He continued saying it is not difficult to determine what the cost is to provide the time that it took to make the television appearances or the radio appearances which are billed at \$1,000.00. He said if the Chamber spent enough time to create a bill for \$1,000.00 then that is what you submit but you need to be able to justify it by showing what your hourly rate is. In that circumstance it is the same thing the event meetings charging \$500.00 for the room or the clean-up and set-up, the volunteer management, the participation and sponsorship management; each of it is to outline how much it cost the Chamber to provide the service for the Commission.

Director Dunn agreed, saying it was a lot of volunteer work, explaining it involved setting up appointments and getting people to attend the television appearances.

City Attorney Bamburg asked if it took the Chamber \$1,000.00 to set that up.

She replied that is what she came up with, yes.

He then questioned what the charge per hour was.

Chamber President Boyd stated that from working in television, the time they got on television would have cost way more than if it had been purchased.

City Attorney Bamburg remarked the time wasn't purchased but it had to be arranged, asking how much time the Chamber spent making arrangements.

Director Dunn replied she did not know.

Chamber President Boyd reminded City Attorney Bamburg that the meeting was held before Director Dunn's hiring.

City Attorney Bamburg stated he was sorry if the information was not passed on to Director Dunn but it goes to the circumstance what the expense is for the Chamber to provide the services because all the Commission can legally and even questionably legally reimburse is actual expenses for the services, the invoices, the whatever it is that the Chamber does. He continued saying that he was sorry that she apparently feels offended by that, which is not his intent, his intent is to ask the questions to hopefully support the invoice.

Chamber President Boyd said she knew that City Attorney Bamburg had explained in the meeting that this is something that as an attorney he has to do on a daily basis and that is why she had thought that once Director Dunn came on board, that he might have thirty minutes or so to go over this kind of thing like he has to do as an attorney every day.

Council member/Chairman Ray asked the commissioners what they would like to do at this time regarding this agenda item.

It was noted there was already a motion and second, which failed by vote.

City Attorney Bamburg stated the question now is to give Recording Secretary Wilmoth some direction.

Chamber President Boyd asked what about them, could they be in on that too.

Council member/Chairman Ray said that is what he is asking, what does the Commission need to do?

City Attorney Bamburg offered it was for the commissioners to say and at this point, they are awfully quiet.

Commissioner Hall asked Recording Secretary Wilmoth if she had any suggestions

Council member/Chairman Ray commented that this issue is discussed weekly during his conversations with Recording Secretary Wilmoth.

Recording Secretary Wilmoth expressed her understanding, and asked City Attorney Bamburg to correct her if needed, that the contract was written for \$35,000.00 and was an event-based contract and was not intended to be a contract in which invoices were submitted to total \$35,000.00.

City Attorney Bamburg replied that she was correct.

She continued saying it was her belief that it was part of the misunderstanding, explaining she is hearing the Chamber say they are entitled to this, adding there has also been confusion regarding the amount.

Chamber President Boyd stated she does not mean to sound like a child, questioning where the event-based part is, noting she brought a copy of the contract.

City Attorney Bamburg replied it is the billing for the activities that are taking place commonly on an event-based circumstance, for the services the Chamber renders to provide advertising and promotion activities on behalf of the Commission. He continued saying, that he has gone over the terms of the contract several times and so has the body. If there is a questions as to what is in the contract it is because he told the Chamber from the start this is a gray area of the law, this is not a contract he feels comfortable with, it is a contract that he has done his best to protect the Commission with. He said if the Commission doesn't give the recording secretary some guidance and she pays invoices, then it is her fault, and she shouldn't be put in that position, any more so than Chamber President Boyd and the Chamber shouldn't be faulted for submitting information when they don't know what is going to be approvable or not; the Commission has to give them some guidance. He said that it was on the Commission as a whole and not him as the attorney or Council member Ray as Chairman. It is on the Commission as a whole to address this in some form or fashion so Recording Secretary Wilmoth, as the Commission's counterpart and assistant in this circumstance, can do what she needs to do to process the invoice.

Chamber President Boyd offered she was open to a meeting.

Council member/Chairman Ray stated there is a line item on the invoice for social media management campaign in the amount of \$500.00. He said that is what it cost \$500.00, it doesn't matter whether it took one, two, five, or ten minutes it still cost \$500.00.

Several present disagreed.

He then questioned why not.

City Attorney Bamburg replied the Chamber needs to be able to show the Commission that it cost them \$500.00 to manage the social media campaign, placing it on a piece of paper doesn't mean they have proven that. He continued saying if he had to take it into court to protect the Commission, he cannot do that based on what is on this invoice.

Council member/Chairman Ray tried to make the correlation that it was the same as receiving an invoice for a sign.

City Attorney Bamburg noted in that instance the Commission would have a physical banner. In the other circumstance, the Commission has an invoice for management of the social media campaign, the comparison is "apples to oranges".

Chamber President Boyd offered that it was a comparison of something tangible versus something intangible.

Council member Elliott questioned if the invoice needed to show a certain number of hours for promotion at a certain amount.

City Attorney Bamburg replied the Commission needs to be able to support an invoice that is sent, explaining when discussing intangibles, they have to be designated by time, expenses for providing the service or activity, or by the cost of doing so because you are paying for supplies, people, or whatever. He continued saying as indicated earlier, when an attorney is in private practice they bill based on their time but they also include what the hourly rate is and the amount of time spent based on the percentage of hour used, and if any expenses, supplies or other services were used to provide whatever it was you did for your client, those are all outlined on an invoice. In this circumstance, the Commission is getting an invoice that says management of social media campaigns \$500.00. He questioned what was done for \$500.00. Did it actually cost the Chamber \$500.00 to make meeting room reservations and set-up and clean-up, another \$500.00 for meeting materials for \$1,650.00 total.

Chamber President Boyd questioned if they needed to break it down to an hourly rate, further questioning if that would help. She continued saying, the planning takes a lot more time than the actual presentation.

City Attorney Bamburg agreed saying there needs to be something broken down for the Commission to work from but it shouldn't fall to Recording Secretary Wilmoth to make these determinations without some advice from the Commission. He continued saying, he is not hearing anything from the Commission yet and it is not his place, adding he is only here for another four weeks and three days, but Recording Secretary Wilmoth is going to need some help and it is not fair to her.

Commissioner Hurley agreed, saying he is not much help because he does not know what is going on either. He suggested the Chamber go back and rework the invoice, adding they need to do what City Attorney Bamburg said based on an hourly rate on the time spent and rework the management bills. He offered his understanding of booth materials to promote the city and has no problem with that but he has a little problem with set-up and tear down because the Commission is not paying the labor to set-up and tear down a booth. He said he would have a problem with that particular aspect of it. He related if he totaled up what he believes the Commission is responsible for based on the Chamber's invoice, it is around \$3,250.00 but he would rather the Chamber go back and rework the invoice. He stated he knows the Chamber is going to have to go back and try to determine how much time was spent trying to do that and at what hourly rate and then it will be justifiable, saying that is what he is hearing. He said regarding promotion materials, absolutely, planning and scheduling volunteers he did not know but acknowledged that it takes time. He stated that regarding advertising and promotion, even before the lawsuit, the Commission was not allowed to do certain things such as building a bridge at Dupree Park, so set-up and tear down he would definitely question something like that. He said regarding overseeing of all activities of FestiVille 5K Splash Dash, he didn't know, adding some of those things were going to take place as a general course of doing business but whatever is promoting or advertising the city needs to be itemized and broken down at what rate in order to justify the expense.

Director Dunn read from the contract “provide assistance in the development, planning, marketing, operations, and strategic advice regarding advertising, tourism, and special events held in Jacksonville in conjunction and at the direction of the sponsoring organization; develop, plan, implement, and operate effective means for solicitation and acquisition of Community advertising and tourism development prospects, events, and materials, accesses to tourism and business related databases, and other matters as are necessary and required to adequately promote new and expanding tourism within the City; at the direction of the City’s Parks and Recreation Department, assist in the continuation, operation, and promotion of specific tourism events, including the City’s annual Christmas Parade, the City’s participation in the LRAFB Air Show, various City-sponsored events held at the Community Center and Shooting Range, and the City’s annual FestiVille; and, participate and assist as requested by the A & P in various activities designed and implemented for the benefit of advertising, promoting, and garnering tourists to the City”.

Council member/Chairman Ray stated that all of the opinions were going to fall on the Recording Secretary Wilmoth’s shoulders to write out and endorse this, he asked for her opinion and requested she speak from the heart.

Recording Secretary Wilmoth expressed concerns regarding this specific invoice noting the Parks Department, the Downtown Revitalization Group, and Sells Agency have already been paid for this event and this would be the fourth entity receiving payment. She continued saying that as the person who processes the requisitions for the Commission, this concerns her. She further expressed concern regarding the cost for the meeting room, noting the rates for the Parks meeting rooms were less expensive. She noted that she had worked with the Chamber on previous invoices to pay them because of the Commission’s desire under the existing contract, explaining she was also somewhat confused as to the amount since both amounts had been discussed, which is another reason why this invoice was brought to the Commission. She stated that she cannot continue to figure out and support invoices that come in and just pay them, explaining she has also questioned items on the Sells Agency invoices as well. She said she does not know which direction the Commission would like to go but if the Commission is going to pay multiple vendors for the same event is that being a good steward of the taxpayers’ dollars.

B. Discussion 2019 advertising

Council member/Chairman Ray related this item of business would be discussed at the January meeting and would not be discussed at this meeting.

NEW BUSINESS:

A. \$25,000.00 funding request for landscape with water feature

Mayor Gary Fletcher related there is a picture included in the agenda packet, noting Keep Jacksonville Beautiful purchased the statue presently located in his office. He said studies have shown that when cities look interesting, especially in entryways into a city, people will stop to check out a city. He noted the city has finally gotten rid of some old, ugly buildings that had been there for years and that Kum and Go is presently under construction along with a 61 million dollar high school.

He related that when traveling, he has noticed that most cities have real nice flower beds but there is something real attractive about moving water and things of that nature. He said they are trying to build a reputation within the community with a new school district that Jacksonville is child friendly, noting the cities surrounding Jacksonville have grown because of their school systems. He said they want to build a real nice rock fountain with a statue, flowers and lights. He added they are also requesting funds for a welcome sign. He noted that it will be on City property and does need to be dressed up and is something the City can maintain in house. He noted the Commission has given a lot of money over the years, expressing his thanks to the Commission for its help funding the Shooting Range. He said it would be appropriate to place a sign on the premises acknowledging that funding was provided by the Jacksonville Advertising and Promotion Commission. He related that he has had several people ask what the Commission does, saying this feature would welcome people into our city with an attractive gateway, which is going to be an ongoing development of downtown and will also give advertisement acknowledging that the Commission is involved. He challenged the Commission to at least set aside ten percent of the funds received to put more permanency into what is spent. He stated there are some things he believes the Commission could legally fund to promote the City that will be there for years to come.

Discussion ensued regarding the placement of the feature.

B. \$5,199.06 funding request for gateway Jacksonville welcome sign

Mayor Fletcher gave a brief description regarding the sign placement within the feature, explaining the sign would be a permanent sign that will have a rustic wood-chiseled look that will be made out of a material that will not rot.

Commissioner Hall moved, seconded by Commissioner David Bush to approve the expenditure of \$25,000.00 for the landscape area with a water feature and \$5,199.06 for the gateway Jacksonville welcome sign. Motion Carried

C. \$126.72 funding request for 4 x 6 banner

Commissioner Hurley related the banner would be 4 x6 and mad of vinyl, explaining that whoever holds an event funded or partially funded by the Commission would be responsible for placement of the sign so when people come to the event they can see that the Commission funded or partially funded the event. He continued saying the person holding the event would be responsible for the placement and return of the banner, adding if the banner was not returned, the person would be responsible for replacing the banner. He stated that this will also address Commissioner Andy Patel's comments from the last meeting. He noted the Commission's logo is usually located on a sponsor banner however, it is small and this would be a larger banner all to itself.

Council member Elliott moved, seconded by Commissioner Hall to approve the expenditure of \$126.72 for a 4 x 6 vinyl banner sign. Motion Carried.

D. Discussion ad placement in Metro Little Rock Guide

Council member/Chairman Ray related he has been advised this ad is not needed for Jacksonville.

Commissioner Hall agreed.

ANNOUNCEMENTS:

Recording Secretary Wilmoth read the announcements of the upcoming events which included Winter WonderVille, Frontier Christmas, Light Up Jacksonville, Holiday Lighting and the 61st Jacksonville Christmas Parade.

Commissioner Hurley offered that he knows the Chamber is frustrated, he is frustrated, and Recording Secretary Wilmoth is frustrated. He stated that what was supposed to bring the City and Chamber working together as separate entities but working together has brought contention, adding that City Attorney Bamburg hit the nail on the head back when the Commission was first discussing this contract and the Commission sat like stone in the wall that Mayor Fletcher wants to put up when he said "I don't think you know what you want and I need some direction". He said he took offense to that but the fact is that it is true and it has come to his mind this past week since the Commission met with them before, is the Commission does not know what it wants which is why he has always supported an outside ad agency that knows the business. He acknowledged that there is no one present who markets anything other than their individual shops, adding he understands their frustration but he is equally frustrated. He said that he sits there not saying anything because he does not know what to say. He said the billable hours makes a lot of sense to him but he does not know if Council member Ray as chairman and Recording Secretary Wilmoth needs to sit down and give the Chamber some guidance as to what the invoice needs to be and look like; acknowledging that it may have already been done but blanket figures come into question, adding that he does not think she knows what to do either. He continued saying he does not have the answer otherwise, he would have already proposed it but he knows the Commission has gotten itself into a contentious frustrating position with the Chamber and the Commission. He reiterated that the City Attorney was absolutely right when it was discussed months ago. He said he got smart now, adding that hindsight is always twenty-twenty. He said he does not have the solution to clarify and clear this up to move forward into 2019 but the Commission has to do something. He related it makes sense for the Chamber to go back and rework the invoice so the Commission knows what it is approving but the Commission's objective is to advertise and promote Jacksonville and marketing materials makes a lot of sense to him but he does not know about the time. He acknowledged that nothing major was accomplished on this major item this meeting or the last meeting.

Council member/Chairman Ray thanked Commissioner Hurley offering that all he wants to do is to promote the City of Jacksonville and he thinks the Chamber of Commerce is an entity in promoting the city in whatever city it is located in that has a chamber of commerce and an advertising and promotion commission.

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He remarked he has worked in the hospitality industry long enough to know that we need all the advertising you can to promote your city where it comes from, that is where it is going. He noted he has been in the industry since the age of seventeen and knows that every little bit that you can get to promote your city helps.

ADJOURNMENT:

With no further business, Councilman/Chairman Ray adjourned the meeting at 6:50 p.m.