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**CITY OF NEWPORT**  
**REGULAR MEETING OF CITY COUNCIL**  
**FEBRUARY 18, 2020**

The City Council of the City of Newport, Arkansas met in regular session Tuesday, February 18, 2020 in the chambers of the Municipal Courtroom.

Mayor Stewart called the meeting to order. City Clerk/Treasurer Hembrey called the roll. Council members present were Michael Allen, Carol Falwell, Kathy Green, Regina Lake, Leroy Mansko, Andy May, Julie Moss and Neal Pankey. City Attorney John Pettie was present.

Following the invocation by Andy May, those present recited the Pledge of Allegiance.

A motion by Allen and second by Moss to approve the minutes of the February 3, 2020 Meeting carried (7/0) with “yes” votes by Allen, Falwell, Green, Mansko, May, Moss and Pankey. Lake abstained due to being absent on February 3, 2020.

**UNFINISHED BUSINESS: - Third Reading of Advertising and Promotion Tax Ordinance**

Due to 2 members of the Council having a School Board Meeting at 6:30 tonight the Mayor stated we would start with the unfinished business.

Mayor Stewart asked if anyone from the public would like to be heard. Mayor Stewart recognized Dr. Gore. Dr. Gore stated that while he was not against the tax he was against an open container Ordinance. Mayor Stewart stated that an Ordinance for an entertainment district has been put off indefinitely. Mayor Stewart asked if anyone from the Council would like to be heard. Council Member May stated he had done a lot of research and spoken to the Arkansas Municipal League and with the entertainment district being a nonissue for the foreseeable future he thought the advertising and promotion tax would be beneficial to the residents of Newport. Council Member Allen stated that he was not necessarily against the tax but was against the procedure allowing the Council to vote on the tax. Allen stated he felt like the advertising and promotion tax should be voted on by voters of Newport. Mayor Stewart asked if anyone attending the meeting would like to hear the lengthy Ordinance read for the third time in its entirety; no one responded.

A motion by Pankey and second by Mansko to suspend the rules in their entirety and forego the 3<sup>rd</sup> reading carried (7/1) with “yes” votes by Lake, May, Moss, Mansko, Falwell, Pankey and Green and a “no” vote by Allen.

A motion by Pankey and second by Green to accept the Advertising and Promotion Tax Ordinance carried (7/1) with a vote of “no” by Allen and “yes” votes by Falwell, Lake, May, Green, Moss, Pankey and Mansko.

46 **NEW BUSINESS: None**

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48 **REPORTS AND COMMUNICATIONS:**

49 Mayor Stewart had the following reports:

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51 • A copy of the letter from Marti Steel, Deputy Legislative Auditor stating two items that came  
52 to the attention of legislative auditors during the 2018 Audit.

53 ○ Review of retirement payments to a former Mayor indicated the City did not adhere  
54 to Ark. Code Ann. §24-12-123 when calculating the benefit amount. An  
55 overpayment of \$19,356 was made from the period of March 14, 1996 through  
56 August 31, 2019. Deputy Legislative Auditor Steel recommended that the Mayor and  
57 City Council obtain legal counsel regarding how to resolve the overpayments.  
58 Mayor Stewart and City Attorney Pettie are working on the resolution of the  
59 overpayments and will report to the Council at a later date.

60 ○ Two unauthorized withdrawals were made from the City's bank account through  
61 fraud with City personnel discovering the unauthorized withdrawals and the funds  
62 were recovered from the bank.

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64 • Drainage problems and street repairs were discussed.

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66 With no further business before the Council, the meeting was adjourned.

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68 PASSED AND APPROVED THE 2<sup>ND</sup> DAY OF MARCH, 2020

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MAYOR

72 ATTEST:

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75 CITY CLERK