



# City of Jonesboro

Municipal Center  
300 S. Church Street  
Jonesboro, AR 72401

## Meeting Agenda Nominating and Rules Committee

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Tuesday, March 19, 2019

4:45 PM

Municipal Center

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### SPECIAL CALLED MEETING

#### 1. Call To Order

#### 2. Roll Call by City Clerk Donna Jackson

#### 3. Approval of minutes

##### MIN-19:022

MINUTES FOR THE SPECIAL CALLED NOMINATING AND RULES COMMITTEE  
MEETING ON MARCH 5, 2019

Attachments: [NandR Meeting Minutes 03052019.pdf](#)

#### 4. New Business

#### *RESOLUTIONS TO BE INTRODUCED*

##### RES-19:024

RESOLUTION BY THE CITY COUNCIL FOR THE CITY OF JONESBORO, ARKANSAS  
TO AMEND RESOLUTION-19:020 TO REFLECT A CHANGE IN THE TERM OF A  
BOARD MEMBER OF CITY WATER AND LIGHT

Attachments: [Amend term\\_email from Chris Gibson.pdf](#)

##### RES-19:025

RESOLUTION BY THE CITY COUNCIL OF THE CITY OF JONESBORO, ARKANSAS  
TO CREATE A MASTER STREET PLAN ADVISORY COMMITTEE AND APPOINT  
MEMBERS TO THE COMMITTEE

Sponsors: Mayor's Office

#### 5. Pending Items

#### 6. Other Business

##### COM-19:017

Discussion concerning City Council Rules and Procedures

Attachments: [2019 Council Procedures3.pdf](#)  
[NandR Changes\\_email from Chris Gibson.pdf](#)

#### 7. Public Comments

**8. Adjournment**



# City of Jonesboro

300 S. Church Street  
Jonesboro, AR 72401

## Legislation Details (With Text)

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**File #:** MIN-19:022    **Version:** 1    **Name:** MINUTES FOR THE SPECIAL CALLED NOMINATING AND RULES COMMITTEE MEETING ON MARCH 5, 2019

**Type:** Minutes    **Status:** To Be Introduced

**File created:** 3/6/2019    **In control:** Nominating and Rules Committee

**On agenda:**    **Final action:**

**Title:** MINUTES FOR THE SPECIAL CALLED NOMINATING AND RULES COMMITTEE MEETING ON MARCH 5, 2019

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** [NandR Meeting Minutes 03052019.pdf](#)

| Date | Ver. | Action By | Action | Result |
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MINUTES FOR THE SPECIAL CALLED NOMINATING AND RULES COMMITTEE MEETING ON MARCH 5, 2019



# City of Jonesboro

Municipal Center  
300 S. Church Street  
Jonesboro, AR 72401

## Meeting Minutes Nominating and Rules Committee

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Tuesday, March 5, 2019

4:45 PM

Municipal Center

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### SPECIAL CALLED MEETING

#### 1. Call To Order

#### 2. Roll Call by City Clerk Donna Jackson

*Mayor Perrin was in attendance for a portion of the meeting.*

**Present** 5 - Chris Gibson; Ann Williams; Charles Coleman; Gene Vance and Charles Frierson

**Absent** 1 - Chris Moore

#### 3. Approval of minutes

[MIN-18:099](#)

MINUTES FOR THE SPECIAL CALLED NOMINATING & RULES COMMITTEE MEETING ON OCTOBER 2, 2018

**Attachments:** [Special Called N&R Committee Meeting Minutes 10022018.pdf](#)

**A motion was made by Ann Williams, seconded by Gene Vance, that this matter be Passed . The motion PASSED with the following vote.**

**Aye:** 4 - Ann Williams; Charles Coleman; Gene Vance and Charles Frierson

**Absent:** 1 - Chris Moore

[MIN-19:010](#)

Minutes for the Special Called Nominating & Rules Committee Working Session on Thursday, January 10, 2019

**Attachments:** [NandR Working Meeting 01102019.pdf](#)

**A motion was made by Ann Williams, seconded by Gene Vance, that this matter be Passed . The motion PASSED with the following vote.**

**Aye:** 4 - Ann Williams; Charles Coleman; Gene Vance and Charles Frierson

**Absent:** 1 - Chris Moore

[MIN-19:015](#)

Minutes for the Special Called Nominating & Rules Committee Working Session on Thursday, January 31, 2019

**Attachments:** [N&R Working Session 013119](#)

**A motion was made by Ann Williams, seconded by Gene Vance, that this matter be Passed . The motion PASSED with the following vote.**

**Aye:** 4 - Ann Williams; Charles Coleman; Gene Vance and Charles Frierson

**Absent:** 1 - Chris Moore

#### **4. New Business**

##### *RESOLUTIONS TO BE INTRODUCED*

###### [RES-19:020](#)

RESOLUTION BY THE CITY COUNCIL OF THE CITY OF JONESBORO, ARKANSAS TO MAKE APPOINTMENTS AND REAPPOINTMENTS TO BOARDS AND COMMISSIONS AS RECOMMENDED BY MAYOR HAROLD PERRIN

*Chairman Chris Gibson said, it is my understanding that Community Development and Grants Director Tiffny Calloway has accepted another position in the private sector. Do we need to pull her off of that or off of these committees? City Attorney Carol Duncan said, the Mayor may want to answer that. I would think so. Councilmember Gene Vance asked, what committees? Councilmember Charles Frierson asked, when is it effective? City Clerk Donna Jackson said, I think Friday is her last day. Councilmember Vance said, the Mayor should be able to answer that question. Ms. Duncan asked Mayor Perrin, do you want to remove Tiffny Calloway from the committee appointments? Mayor Perrin said, if we can. If we can until we get someone hired, then that will be fine. Chairman Gibson said, ok. Mayor Perrin said, I was going to ask that question. I apologize, I was on the phone. Chairman Gibson said, she is on Building Facilities and Revenue Enhancement. Councilmember Vance said, Revenue Enhancement would be the one that I would question. Whatever the Mayor feels comfortable with. Councilmember Charles Frierson asked, do you want to leave her on there and reappoint her now? Ms. Duncan said, the Mayor said remove it. Mayor Perrin said, remove it.*

*Councilmember Charles Frierson motioned, and Councilmember Ann Williams seconded, to amend RES-19:020 and remove Tiffny Calloway from the appointments on the Revenue Enhancement and Building Facilities Committees. All voted aye.*

**A motion was made by Charles Frierson, seconded by Ann Williams, that this matter be Recommended to Council . The motion PASSED with the following vote.**

**Aye:** 4 - Ann Williams; Charles Coleman; Gene Vance and Charles Frierson

**Absent:** 1 - Chris Moore

#### **5. Pending Items**

##### *ORDINANCES TO BE RECONSIDERED*

###### [ORD-19:004](#)

AN ORDINANCE TO AMEND THE JONESBORO CODE OF ORDINANCES CHAPTER 2 ARTICLE 3, ENTITLED CITY COUNCIL; ESTABLISHING CITY COUNCIL RULES AND PROCEDURES FOR 2019

**Attachments:**     [2019 Council Procedures3.docx](#)

*Councilmember Gene Vance said, I would like for us to make a vehicle that would allow the public to ask for additional time and the Chair of the meeting, whether it be a*

council or committee meeting, have the ability to grant that time if that person has pertinent information and is not repetitive. Chairman Chris Gibson said, that is in Section G, Subsection 2, second sentence I believe. Councilmember Vance asked, what section did you say Chris? Chairman Gibson said, Section G, Subsection 2. It is on page 2 of 14 it looks like Gene. Councilmember Vance asked, page 2? Chairman Gibson said, yes. Councilmember Vance said, yes, Section 2-84, paragraph (g), section (2). Proponents for or against an issue will be given a total of ten minutes per side to speak. I would like to amend that to for them to have the ability to ask the chair, whether it be a council meeting or a committee meeting or whatever for additional time. Again, it would be at the discretion of that Chair as to whether they have proper information. The reason that was put in there was to keep people from saying the same things over and over and four or five people getting up and saying things over and over. It is a good thing to be in there, but, again, I think we need the ability for those people to be granted additional time if it is beneficial to the subject on the floor. I make that in form of a motion.

Chairman Gibson asked, do we have any discussion? City Attorney Carol Duncan asked, would that be in advance or would that be during? I don't know how you are going to determine that. Councilmember Vance said, it would have to be on the fly. It would have to be when someone is talking and they didn't get all of their talking done in the ten minutes. Ms. Duncan said, so while they are talking? Ok. I just didn't know how you were going to determine whether it was going to get repetitive or not. That is your rule. Councilmember Vance said, again, that is going to be a subjective thing that the Chair will have to do. Ms. Duncan said, right. Chairman Gibson said, in the next line of that subsection, it states "Repetitive comments should be avoided; this applies to comments made previously either to the city council or to the planning commission when those planning commission minutes have been provided to the council members." So, I think, if they start getting into the weeds and start being repetitive, we certainly have got the ability to cut them off at any point in time.

Councilmember Charles Coleman asked, are you saying that section should be with the committee motion from Councilmember Vance or what are you saying Chris? Chairman Gibson said, no. I am just agreeing with Councilmember Vance. I think that we could certainly cut them off even if we make this amendment and be well within our rights. Councilmember Coleman said, ok. Councilmember Vance said, the Chair has the ability to limit debate. City Clerk Donna Jackson said, I am going to play devil's advocate here because this is what came up in the work session. If we are going to do that, we might as well leave it up to the discretion of the Chair to begin with because that is the way it is now. Councilmember Vance said, I like the ten minutes and I like the ability to extend it. I don't think it needs to be wide open. Councilmember Charles Frierson said, I agree.

Harold Carter, 902 Tony Drive, said, I dislike the idea of having to get your political ducks in order before you even get to the meeting. I know that is what will happen. And, if I want to speak or not be cut off in mid-sentence, then I will have to do it too, whether I like it or not. And, I know if I don't, how I am going to stand up in competition with, shall we say, Debbie Pelley. Yeah, or many others. So, therefore, I just object to it being put on such a discretionary basis. If the Chair of the meeting just gets started listening to it and it is a run on business, then, they have always had the power to cut us off. And, if people don't know that, well, they need to learn it. I have learned it. So, they can learn it too. And, so can Debbie Pelley, and others of that sort. So, I don't see any need of running political campaigns and creating a necessity to do so just to get up and say something. As far as run on meetings, well, that has been within your power all of the time.

*Chairman Gibson asked, what is the desire of the committee? Do I have a motion to forward to full council? Councilmember Vance asked, have we done anything with the amendment? Chairman Gibson said, let's vote on the amendment first.*  
*Councilmember Vance asked, did we ever get a second? I don't think we got a second on the motion. Chairman Gibson said, ok, just as housekeeping, do we have a second on the amendment? Hearing no second, what is the desire of the committee?*  
*Councilmember Frierson asked, do we have another amendment pending Gene?*  
*Councilmember Vance said, no. That's it. That is the only one I wanted to make.*

*Councilmember Charles Frierson motioned, seconded by Councilmember Charles Coleman, to adopt as presented and forward to full council. All voted aye, except Councilmember Gene Vance who voted no.*

**A motion was made by Charles Frierson, seconded by Charles Coleman, that this matter be Recommended to Council . The motion PASSED with the following vote.**

**Aye:** 3 - Ann Williams; Charles Coleman and Charles Frierson

**Nay:** 1 - Gene Vance

**Absent:** 1 - Chris Moore

## **6. Other Business**

*Mayor Harold Perrin said, on RES-19:020, I know you have already covered that appointments on boards and commissions. Chairman Chris Gibson said, yes sir.*  
*Mayor Perrin asked, if could we forward that to full council, we have got some board meetings that will come up before we meet again, like CWL. Councilmember Charles Frierson said, we have done that already. We have already adopted it. City Attorney Carol Duncan said, but you didn't forward it tonight. Mayor Perrin said, you didn't forward it to council. So, I'm just asking if you would please make a motion to. City Clerk Donna Jackson said, you can walk it on. Mayor Perrin said, I apologize for being late.*

*Councilmember Charles Frierson motioned, seconded by Councilmember Gene Vance, to move RES-19:020 to the council to be walked on tonight. All voted aye.*  
*Mayor Perrin said, thank you.*

*Chairman Chris Gibson said, I would also like to go ahead and walk on the ordinance tonight. City Attorney Carol Duncan said, I don't think you can with one no vote.*  
*Councilmember Gene Vance said, you can't. Chairman Gibson said, ok. Ms. Duncan said, it has to be unanimous.*

## **7. Public Comments**

## **8. Adjournment**

**A motion was made by Gene Vance, seconded by Charles Frierson, that this meeting be Adjourned . The motion PASSED with the following vote.**

**Aye:** 4 - Ann Williams; Charles Coleman; Gene Vance and Charles Frierson

**Absent:** 1 - Chris Moore



## Legislation Details (With Text)

**File #:** RES-19:024    **Version:** 1    **Name:** AMEND RESOLUTION-19:020 TO REFLECT A CHANGE IN THE TERM OF A BOARD MEMBER OF CITY WATER AND LIGHT

**Type:** Resolution    **Status:** To Be Introduced

**File created:** 3/14/2019    **In control:** Nominating and Rules Committee

**On agenda:**    **Final action:**

**Title:** RESOLUTION BY THE CITY COUNCIL FOR THE CITY OF JONESBORO, ARKANSAS TO AMEND RESOLUTION-19:020 TO REFLECT A CHANGE IN THE TERM OF A BOARD MEMBER OF CITY WATER AND LIGHT

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** [Amend term\\_email from Chris Gibson.pdf](#)

| Date | Ver. | Action By | Action | Result |
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RESOLUTION BY THE CITY COUNCIL FOR THE CITY OF JONESBORO, ARKANSAS TO AMEND RESOLUTION-19:020 TO REFLECT A CHANGE IN THE TERM OF A BOARD MEMBER OF CITY WATER AND LIGHT

WHEREAS, the following appointment made to the City Water and Light Board was incorrect and needs to be amended to reflect the correct term date expiration;

NOW, therefore BE IT RESOLVED BY THE CITY COUNCIL FOR THE CITY OF JONESBORO ARKANSAS, that the following appointment be amended::

### **CITY WATER AND LIGHT BOARD**

Amend the term of Al Heringer from February 28, 2022 to February 29, 2020



## April Leggett

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**From:** Chris Gibson <chris.gibson@arcare.net>  
**Sent:** Thursday, March 14, 2019 9:26 AM  
**To:** City Clerk  
**Subject:** Nominating and Rules

Good morning, I hope all is well. Public Services can be canceled and rescheduled for the second Tuesday in April due to lack of agenda items. The only thing I need added to that agenda are reports from JETS as well as Parks.

Ann Williams has agreed to Chair the Nominating and Rules meeting in my absence. The items that need to be discussed at Nominating and Rules on Tuesday are as follows:

- 1) The deadline for submission for Agenda items was agreed by the committee to be 3:00 PM on the Wednesday prior to the council meeting. This was apparently omitted without reason. It was overlooked initially by the committee prior to forwarding to full council. The committee needs to discuss this issue and determine if we need to amend the Rules and Procedures on the council floor to reflect this deadline.
- 2) Amend the appointments that were adopted by council on March 5, 2019. The appointment of Al Herringer to the CWL board needs to be amended to reflect that his term expires on February 29, 2020. Once this resolution has been amended Brenda Tubbs at CWL would like a copy for her files.

Please forward this to all members of Nominating and Rules so they can review prior to the meeting.

Regards, CG....

**Chris Gibson** | Chief Operating Officer  
**ARcare** | 2816 Fox Meadow Lane | Jonesboro, AR 72401  
O: 870-336-1676 | F: 870-336-1679 | [arcare.net](http://arcare.net)

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## Legislation Details (With Text)

|                       |  |                      |   |                                |  |
|-----------------------|--|----------------------|---|--------------------------------|--|
| <b>File #:</b>        | RES-19:025   | <b>Version:</b>      | 1 | <b>Name:</b>                   |  |
| <b>Type:</b>          | Resolution   | <b>Status:</b>       |   | To Be Introduced               |  |
| <b>File created:</b>  | 3/14/2019  | <b>In control:</b>   |   | Nominating and Rules Committee |  |
| <b>On agenda:</b>     |  | <b>Final action:</b> |   |                                |  |
| <b>Title:</b>         | RESOLUTION BY THE CITY COUNCIL OF THE CITY OF JONESBORO, ARKANSAS TO CREATE A MASTER STREET PLAN ADVISORY COMMITTEE AND APPOINT MEMBERS TO THE COMMITTEE |                      |   |                                |  |
| <b>Sponsors:</b>      | Mayor's Office   |                      |   |                                |  |
| <b>Indexes:</b>       |  |                      |   |                                |  |
| <b>Code sections:</b> |  |                      |   |                                |  |
| <b>Attachments:</b>   |  |                      |   |                                |  |

| Date | Ver. | Action By | Action | Result |
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RESOLUTION BY THE CITY COUNCIL OF THE CITY OF JONESBORO, ARKANSAS TO CREATE A MASTER STREET PLAN ADVISORY COMMITTEE AND APPOINT MEMBERS TO THE COMMITTEE

WHEREAS, Resolution 13:047 created a Master Street Plan Committee to assist in updating the Master Street Plan, which was in great need of updating at the time and the Committee completed their work and the members terms expired; and

WHEREAS, it is believed that as the City continues to grow, the Master Street Plan will continually need to be reviewed and revised in order to promote good city planning and provide for orderly development within the City; and

WHEREAS, it is the desire of the City to maintain an ongoing Master Street Plan Committee to address all current and future needs; and

WHEREAS, Mayor Perrin recommends the appointment of the following persons to serve on the Master Street Plan Advisory Committee for a two year term beginning April 1, 2019: Grant McDaniel, Joey Msall, Josh Brown, William Cheatham, Vincent Turner, David Handwork, Mitch Johnson, Judy Casteel, Billy Holland, Brookshield Laurent, and Mike Downing; and

WHEREAS, Mayor Perrin also recommends the appointment of the following ex officio members of the Committee: Mayor's Chief of Staff; A representative from the Jonesboro Police Department and the Jonesboro Fire Department; Planning Director; MPO Director; Street Department Director; City Engineer; and Traffic Engineer.

NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL FOR THE CITY OF JONESBORO, ARKANSAS THAT:

SECTION 1: That the Master Street Plan Advisory Committee is hereby created as an ongoing advisory committee.

SECTION 2: That the recommended members of the Committee are hereby confirmed.



# City of Jonesboro

300 S. Church Street  
Jonesboro, AR 72401

## Legislation Details (With Text)

|                       |   |                      |   |                    |   |
|-----------------------|---|----------------------|---|--------------------|---|
| <b>File #:</b>        | COM-19:017  | <b>Version:</b>      | 1 | <b>Name:</b>       | Discussion concerning City Council rules and procedures |
| <b>Type:</b>          | Other Communications  | <b>Status:</b>       |   | <b>Status:</b>     | To Be Introduced  |
| <b>File created:</b>  | 3/14/2019   | <b>In control:</b>   |   | <b>In control:</b> | Nominating and Rules Committee                          |
| <b>On agenda:</b>     |   | <b>Final action:</b> |   |                    |   |
| <b>Title:</b>         | Discussion concerning City Council Rules and Procedures   |                      |   |                    |   |
| <b>Sponsors:</b>      |   |                      |   |                    |   |
| <b>Indexes:</b>       |   |                      |   |                    |   |
| <b>Code sections:</b> |   |                      |   |                    |   |
| <b>Attachments:</b>   | <a href="#">2019 Council Procedures3.pdf</a><br><a href="#">NandR Changes_email from Chris Gibson.pdf</a> |                      |   |                    |   |

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### Discussion concerning City Council Rules and Procedures

The deadline for submission for agenda items was agreed by the committee to be 3:00 p.m. on the Wednesday prior to the council meeting. This was apparently omitted without reason. It was overlooked initially by the committee prior to forwarding to full council. The committee needs to discuss this issue and determine if we need to amend the Rules and Procedures on the council floor to reflect this deadline.

## DIVISION 2. - MEETINGS<sup>[1]</sup>

Footnotes:

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**State Law reference—** Authority to provide rules of procedure, A.C.A. § 14-43-501.

### Sec. 2-84. - City council meetings.

- (a) *Regular meetings.* The city council shall meet in regular session on the first and third Tuesday of each month at 5:30 p.m. The regular session may be rescheduled for reasons of holidays, inclement weather, or any other special circumstances beyond the city council's control. When such special circumstances occur, the regular meeting shall be held on the following Thursday at the same hour. This change will include regularly scheduled committee meetings as well.
- (b) *Location.* The place of the city council meetings shall be in the city council chambers unless another place has previously been set by the city council.
- (c) *Special called council meetings.* Special called council meetings may be called by three or more council members or by the mayor. The city clerk shall be notified of the special called meeting by an email sent to all city clerk staff at least three hours prior to the meeting. Notification of a special meeting, including specific items to be considered, shall be given by the city clerk at least three hours prior to the meeting. Such notification shall be made by personal service to each member or by telephone specifying time and place of the meeting. The city clerk or his/her designee shall keep the record of the meeting. Only the council members who requested the special meeting or the mayor, if he/she requested the special meeting, may cancel the special meeting.
- (d) *Special called committee meetings.* Special called committee meetings may be called by two or more committee members or by the chair of the committee. The city clerk shall be notified of the special called meeting by an email sent to all city clerk staff at least three hours prior to the meeting. Notification of a special called committee meeting, including specific items to be considered shall be given by the city clerk at least two hours prior to the meeting. Such notification shall be made by personal service to each member or by telephone specifying time and place of the meeting. The city clerk or his/her designee shall keep the record of the meeting. Only the committee members who requested the meeting or the chair, if he/she requested the special meeting, may cancel the special meeting.
- (e) *Executive session.* An executive session may be convened on the request of any member of the city council or the mayor. Executive session will be permitted only for the purpose of considering the employment, appointment, promotion, demotion, disciplining, or resignation of any public officer or employee. A.C.A. § 25-19-106(c)
- (f) *Quorum.* A majority of the city council shall be necessary to constitute a quorum to do business. The mayor shall have a vote to establish a quorum of the city council at any meeting of the city council. The concurring vote of a majority of those elected, providing a quorum is present, shall represent the acts of the city council except where otherwise provided by law.
- (g) *Public notification and participation.*
  - (1) The city clerk's office will, if necessary, go further than legally required in order to inform citizens of the items to be considered by the city council. The means used will include publication in a local newspaper, publication via the internet, special notice to citizens who have shown a direct interest in matters

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to be considered, and copies of the agenda will be placed at the entrance to the city council meetings.

- (2) Members of the audience will be offered an opportunity to speak on all questions before the city council. After being recognized by the presiding officer, ~~proponents for or against an issue will be given a total of ten minutes (10 minutes) per side to speak. citizens will be given an opportunity to respond to an ordinance only at one of the three readings and they will be able to rebut at the same meeting. Citizens may submit additional comments in writing to council.~~ Individuals shall provide his/her name and address immediately after being recognized by the presiding officer. Repetitive comments should be avoided; this applies to comments made previously either to the city council or to the planning commission when those planning commission minutes have been provided to the council members. All remarks shall be addressed to the city council as a whole and not to any particular member of the city council. No person other than the city council members and the person having the floor shall be permitted to enter into any discussions without permission of the presiding officer. No questions shall be asked of a city council member or city employee except through the presiding officer. All members of the public are requested to accord the utmost courtesy to members of the city council, to other members of the public appearing before the city council, and to city staff, and are asked to refrain at all times from rude or derogatory remarks, reflections as to integrity, abusive comments, and statements as to motives and personalities.

- (3) ~~Consent Agenda items are usually routine items such as resolutions and minutes. Consent Agenda items are adopted in one motion with no discussion. However, anyone wishing to discuss an item on the Consent Agenda must request a motion for removal of that particular item from the Consent Agenda. Upon passage of the motion for removal from the Consent Agenda, the presiding officer shall proceed with that item following the same procedure as in Sec 2-84 (g)(2) above, affording an opportunity for discussion of the item.~~

- (h) *Smoking prohibited.* There will be no smoking allowed in the city council chambers or in any committee meeting room.
- (i) *Cell phones and pagers.* With the exception of on-duty emergency services personnel, cell phones and pagers must be turned off or put in silent mode and not used within the council chambers or committee meeting rooms during meetings.

(Ord. No. 09:001, § 1(2.20.01), 1-20-2009; Ord. No. 13:001, § 1, 1-22-2013; Ord. No. 14:005, § 1, 2-6-2014)

**State Law reference**— Calling special meetings, A.C.A. § 14-43-502; purposes of executive sessions, A.C.A. § 29-19-106; quorum, A.C.A. § 14-43-501.

Sec. 2-85. - Duties and privileges of and other city officials at city council meetings.

- (a) *Seating.* Members shall occupy the respective seats in the council chambers assigned by position number. The presiding officer (mayor, president pro tempore, or designee) shall be seated in the center of the council members table. Seated to either side of the presiding officer shall be the city clerk and the city attorney or, in their absence, their designees. Council Members shall be seated according to their ward beginning on the presiding officer's far left with Ward 1, Pos. 1; Ward 1, Pos. 2; Ward 2, Pos. 1; Ward 2, Pos. 2; Ward 3, Pos. 1; Ward 3, Pos. 2; then beginning on the presiding officer's far right with Ward 4, Pos. 1; Ward 4, Pos. 2; Ward 5, Pos. 1; Ward 5, Pos. 2; Ward 6, Pos. 1 and Ward 6, Pos. 2.
- (b) *Conduct.*
- (1) During city council meetings, council members shall preserve order and decorum and shall neither

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**Commented [DJ1]:** Concern: The Presiding Officer must remember who spoke at each meeting on every item. What happens when the Presiding Officer is absent? Do you really want to allow rebuttal? That could go on for some time.

**Commented [DJ2R1]:**

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by conversation nor by otherwise delay or interrupt the proceedings. Neither shall they refuse to obey the orders of the presiding officer or the rules of the city council.

- (2) — Every member of the city council desiring to speak shall address the presiding officer and, upon recognition by the presiding officer, shall confine himself/herself to the questions under debate and shall avoid all personalities and indecorous language. A city council member, once recognized, shall not be interrupted while speaking unless called to order by the presiding officer, or unless a point of order is raised by another council member or unless the council member chooses to yield to questions from another council member.

(3)(2) If a council member is called to order while he/she is speaking, he/she shall cease speaking immediately until the question of order is determined. If ruled to be not in order, he/she shall remain silent or shall alter his/her remarks so as to comply with the rules of the city council.

(4)(3) Council members and other elected city officials shall accord the utmost courtesy to each other, to city employees, and to members of the public appearing before the city council, and shall refrain at all times from rude or derogatory remarks, reflections as to integrity, abusive comments and statements as to motives and personalities. City council members shall confine their questions as to the particular matters before the city council and in debate shall confine their remarks to the issues before the city council. To keep or restore order and dignity to a council meeting, the city council, by a majority vote, reserves the right to remove from a council meeting any individual who repeatedly violates this rule for conduct.

- (c) *Personal interest.* No council member or other elected city official with a direct or indirect financial or personal interest in any item before the city council shall participate in the discussion of or voting on such matter. If a council member knows a conflict exists on an item on the agenda they should immediately state they have a conflict and refrain from discussion or voting on the matter. Should a council member determine during the discussion of an item that they have a conflict in the matter they should immediately disclose such and refrain from further discussion or voting on the matter.
- (d) *Voting.* Every council member present when a question is put to a vote shall vote either "Yea" or "Nay," except that a council member may abstain from voting: (a) if he/she has not participated in the preceding discussion of the question, and (b) if that council member briefly states the reason for the abstention. The council members will vote at city council meetings in the order of their position number, with a different position voting first, as determined by the city clerk, on each vote taken.
- (e) *Roll call.* Upon every vote, a voice vote of the affirmative and negative votes shall be called and be recorded on every motion, resolution, and ordinance. The presiding officer or any council member may call for a roll call vote. A roll call vote shall be taken when enacting an emergency clause, repealing an initiated measure, or when otherwise required by law.
- (f) *Presiding officer.*
  - (1) The mayor shall be ex officio president of the city council and shall preside at its meetings.
  - (2) The mayor shall have a vote when his vote is needed to pass any ordinance, bylaw, resolution, order, or motion. Per A.C.A. § 14-43-501.
- (g) *President pro tempore.* The city council shall annually, at the time of organizing, in public session, elect one of its council members as president pro tempore. Any council member may nominate any other member of the city council for this position, and no second of a nomination is required. Each council member shall vote by naming his/her choice by voice vote if there is more than one nominee for the position. A majority vote of the city council shall be required for election. In the absence of the mayor, the presiding officer duties shall be performed by the president pro tempore; in the absence of the president pro tempore, those duties shall be performed by a designated council member. Designation shall be by majority vote of the council members present at any meeting where a clear designation of presiding officer has not been made.
- (h) *Privileges of the president pro tempore.* The president pro tempore or designee acting as the presiding officer may move, second, and debate from the chair and shall not be deprived of the rights and privileges of being a member of the city council by reason of his/her acting as the presiding officer.
- (i) *Arriving Late - Leaving Early From Council/Committee Meetings.* For benefit of an accurate quorum, it is best if council members notify the Presiding Officer when they will be arriving late or leaving early from Council and Committee meetings.

(Ord. No. 09:001, § 1(2.20.02), 1-20-2009)

**State Law reference**— Selection of president pro tempore, A.C.A. § 14-43-501(b)(2).

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Sec. 2-86. - Freedom of information procedure.



All meetings of the city council shall be public meetings. Notice of the time, place and date of all special meetings shall be given by the City Clerk's Office, to representatives of the newspapers and radio stations located in Craighead County which have requested to be notified at least two hours before the special meeting takes place. Any news media located elsewhere that regularly covers the meetings of the council and which have requested notification from the City Clerk's Office, shall also be notified at least two hours before the meeting takes place. The City Clerk's Office shall maintain the official notification list.

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(Ord. No. 09:001, § 1(2.20.03), 1-20-2009)

**State Law reference**— Open meetings required and exceptions thereto, A.C.A. § 25-19-106.

Sec. 2-87. - Procedures and parliamentary rules.

**(a) Order of business.**

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- (1) The city council's agenda order shall be coordinated by the city clerk. All items for discussion or action at the regular council meeting shall be organized under the following headings:

- Call to order by the mayor;
- Pledge of Allegiance and Invocation;
- Roll Call by the City Clerk;
- Special Presentations;
- Consent Agenda;
- Unfinished Business;
- New Business;
- Mayor's Report;
- City Council Reports;
- Public Comment;
- Adjournment.

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**(b) Agenda items and public comment.**

~~(\*)~~(1) Agenda items submitted by the Administration's staff shall be presented to the Mayor and/or designee at an agenda setting session on Wednesday at 9:00 am. Administration agenda items found to be complete shall be entered into Legistar by the City Clerk's Office in a timely manner to allow for the approval process of the mayor, city attorney, prior to 10:00 am on Thursday, except when the regular meeting time has changed due to holidays or rescheduling of the meeting. In such cases, the deadline for agenda items will be adjusted to accommodate the meeting.

~~(1)~~(2) The deadline for agenda items shall be submitted to at the city clerk's office on or before 10:00 am, 10:00 a.m. on Thursday, on Thursday 3:00 p.m. on Wednesday, immediately preceding each regular city council meeting, except when the regular meeting time has changed due to holidays or rescheduling of the meeting. In such cases, the deadline for agenda items will be adjusted to accommodate the meeting. The City Clerk's Office shall be responsible for entering all agenda items into Legistar. All original legislation and attachments must be submitted in order to be placed on the agenda. All items for discussion or action at the regular

city council meeting shall be included in an agenda provided by the city clerk to the council members, the mayor, and the city attorney via internet by ~~4:00~~4:00—6:00 p.m. on Thursday, immediately preceding the regular council meeting.

~~(2)(3)~~ The City Clerk's Office shall enter all items for discussion or action by citizens wishing to address city council members regarding agenda items into Legistar for each city department and the public. ~~All original legislation and attachments including but not limited to contracts, reports, maps, and presentations shall be submitted in word format, and, all electronic material shall be scanned for viruses. The deadline for submitting such items by the public shall be provided to the City Clerk's Office by 10:00 A. M. the day of the meeting. No handouts or presentations shall be permitted without first being provided to the City Clerk's Office by the 10:00 A.M. deadline by the agenda deadline. No material shall be handed out or placed at the city council chamber desks without it being submitted in advance to the City Clerk's Office by the agenda deadline. All electronic material shall be submitted to the City Clerk's Office by the agenda deadline and scanned for viruses.~~

~~(3)(4)~~ The city clerk shall place the items on the agenda in the order that each item is received in the clerk's office. The mayor reserves the right to add or remove items submitted by the administration before the agenda is provided to the council members and the public. The mayor must submit the changes to the agenda in writing to the city clerk by 4:00 p.m. on Thursday following the day of the submission deadline described above in (b)(1).

~~(4)~~ Any ordinance or resolution which was not included on the final agenda may only be brought before the city council after approval by unanimous vote of any city council committee with four

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or more council members. The city council, by two-thirds vote, at the regular council meeting, must then suspend the rules and bring the item to the floor for consideration. A council member moving to suspend the rules and bring an item to the floor for consideration must state, as part of his/her motion, the nature of the emergency requiring immediate action on the item. A.C.A. §14- 55-202. All walk-ons being proposed by city staff must be requested by the Mayor or Chief of Staff.

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(5) Any citizen living within the city limits of Jonesboro desiring to place legislation on the city council agenda may do so by submitting the desired legislation in writing to the mayor or any of the council members and engage them to sponsor the item. Once the mayor or council member has agreed to sponsor the legislation, it will be reviewed by the city attorney before being placed on the appropriate committee agenda prior to going to the full council.

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(6) The city council shall provide 15 minutes during each regular council meeting for public comment on non-agenda business. A total of three (3) citizens will be allowed to speak at each council meeting. Each individual is required to limit his/her comments to five minutes. The city council reserves the right to suspend the rules for extra time, if necessary. The City Clerk will time each individual using the time clock as provided in Council Chambers.

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(6)

c) *Precedence of motions.* The city council shall follow the precedence and classification of motions as given in the most recent edition of the Arkansas Municipal League's "Procedural Rules for Municipal Officials" or successive publications. In the event the handbook does not cover the matter, the most recent edition of Robert's Rules of Order shall apply. On questions of appeal, a majority of those present is required to overturn a ruling of the presiding officer.

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(7)(1) *Motions to be stated by the presiding officer/withdrawal.* When a motion is made and seconded, it shall be stated by the presiding officer before debate. After being stated by the presiding officer, a motion may not be withdrawn by the mover without the consent of the member seconding it and approval of the city council.

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(8)(2) *Reconsideration.* After the decision of any question, any member of the majority may request a reconsideration of any action at the same or the next succeeding meeting; provided, however, that a resolution authorizing or relating to any contract may be reconsidered at any time before final execution thereof. A motion to reconsider requires a simple majority for passage. After a motion for reconsideration has once been acted on, no other motion for reconsideration thereof shall be made without unanimous consent.

(9)(3) *Readings.* All ordinances shall be read aloud at three different meetings unless the city council votes to suspend the rules by a two-thirds majority. A.C.A. §14-55-202

(Ord. No. 09:001, § 1(2.20.04), 1-20-2009; Ord. No. 13:001, § 1, 1-22-2013; Ord. No. 15:058, § 1, 11-17-2015)

**State Law reference**— Authority to provide rules of procedure, A.C.A. § 14-43-501.

Sec. 2-88. - Reserved.

**Editor's note**— Ord. No. 15:058, § 1, adopted Nov. 17, 2015, repealed § 2-88, which pertained to absence from council meetings and derived from Ord. No. 09:001, § 1(2.20.05), adopted Jan. 20, 2009.

Sec. 2-89. - Appeals to council.

Appeals to the city council of decisions of commissions and boards shall be in writing signed by the party appealing, dated, and filed with the clerk within 30 days following the decision of the board and/or

commission. The appeal shall set forth the objection to the decision rendered by said commission and/or

board. Decisions shall be considered final if no appeal is perfected within the 30-day period. (Ord. No. 09:001, § 1(2.20.06), 1-20-2009)

Sec. 2-90. - Hearings.

Appeals shall be heard by the city council meeting in official session. The city council may call a special meeting to hear said appeal.

(Ord. No. 09:001, § 1(2.20.07), 1-20-2009)

Sec. 2-91. - Notice.

The ~~city council~~ City Clerk's Office shall notify the party appealing by certified mail, return receipt requested, of the date of hearing. The notice shall contain the following statements:

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- (a) ~~The~~ The appealing party shall be entitled to counsel at the hearing;
- (b) The appealing party shall be able to discuss their proposal with the council;
- (c) The appealing party may introduce any information they might have concerning the matter;
- (d) The rules of evidence and the rules of procedure established for the judicial system of the state shall not be applicable at said hearing;
- (e) The appealing party shall be entitled, upon request, to a written statement from the city council which shall state the facts and reasons for denying the appealing party's appeal if same is denied.

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(Ord. No. 09:001, § 1(2.20.08), 1-20-2009)

Sec. 2-92. - Action.

The city council shall either approve or reject the appealed decision by a majority vote. Failure to act on the appeal within 60 days after same is filed will be deemed approval of the decision of the board and/or commission. Decision not approved by the city council may be resubmitted through proper channels not less than six months following the council's action or sooner if there is a material change in circumstances or conditions.

(Ord. No. 09:001, § 1(2.20.09), 1-20-2009)

Sec. 2-93. - Bring ordinances before council.

- (a) Once an item is brought before the city council, there shall exist a three month time limit within which to obtain a ruling by the city council. Failure to meet the deadline will result in the item not being brought before the council again for a one-year period, and starting the procedural process over.
- (b) Once an item has been tabled or pulled three times, the item may not be brought before the council again for a one-year period, and must start the procedural process over.
- (c) Once the Metropolitan Area Planning Commission has granted approval, there shall exist a six-month time limit for bringing the matter before the council.

(Ord. No. 09:001, § 1(2.20.10), 1-20-2009)

**State Law reference**— Ordinances, A.C.A. § 14-55-101 et seq.

Sec. 2-94. - Publication reimbursement cost.

- (a) The publication cost shall be set by the finance department at a flat rate to cover costs for the publication of ordinances and notices. These rates may fluctuate based on current publication pricing.
- (b) The publication cost shall be collected by the city collector prior to an item being placed on the agenda. Failure to pay the publication cost shall result in the item not being placed on the agenda.
- (c) Should an ordinance be denied by the city council, the publication cost shall be reimbursed by the finance department. Reimbursement shall not include public hearing or appeal hearing notices, since these must be published prior to an ordinance being adopted.

(Ord. No. 09:001, § 1(2.20.11), 1-20-2009)

Sec. 2-95. - Internal boards, committees, commissions, and appointments.

(a) *Committee Membership.*

- (1) The only standing internal committee of the city council shall be the nominating and rules committee. The nominating and rules committee shall be made up of council members from Wards 1, 2, and 3 on odd-number years and council members from Wards 4, 5, and 6 on even-numbered years. The nominating and rules committee shall determine the number of city council committees, their function, and membership of such committees. Any council member who desires to serve on any particular committee shall so inform the nominating and rules committee. The nominating and rules committee shall, at its discretion, attempt to assign council members who have expressed a preference for any particular committee to the committee. The members of each committee shall designate the member who is to serve as chairperson of each committee. In the case of a tie for committee chairperson, the nominating and rules committee shall appoint the chairperson from those nominated by the committee. Any council member dissatisfied with committee assignments can appeal to the whole city council.
- (2) Ad hoc committees to study special problems and projects of the city may be created by a majority vote of the city council. The mayor and the nominating and rules committee shall recommend to the city council appointees for ad hoc committees. The city council, by majority vote, shall appoint members to ad hoc committees.

(b) *Committee Meetings.*

- (1) All council members, representatives of the news media who have requested notification, and all other persons who have requested notification of committee meetings shall be notified of city council committee meetings by the city clerk's office.
  - (2) Committee meetings shall be held when possible at times that allow all members of the committee to attend. In order for a committee to make an official recommendation to the city council, a majority of the committee must agree on that recommendation. Council members who are not members of a particular city council committee may participate in the meeting of that committee except for voting on committee recommendations. Minutes of meetings involving the city council shall be the responsibility of the city clerk or his/her designee. The minutes shall reflect recommendations of the committee to the full council.
- (c) *Committee Quorum.* A majority of the committee shall be necessary to constitute a quorum to do business. The concurring vote of a majority of those attending a meeting, providing a quorum is present, shall represent the acts of the committee.
- (d) *Committee Voting.* Every committee member present when a question is put to a vote shall vote either "Yea" or "Nay", except that a committee member may abstain from voting if he/she has not participated in the preceding discussion of the question and that member briefly states the reason for the abstention. Pursuant to "Robert's Rules of Order", in the absence of a recommendation by the

"Procedural Rules for Municipal Officials" the chairperson of the committee will not vote unless his/her vote is necessary to break a tie.

- (e) *City council representation on other governmental groups.* When it is necessary to appoint a council member to an external board, commission, or committee, selection of that council member shall be made by the mayor and a majority vote of the city council shall be required for confirmation of the mayor's appointment.

(Ord. No. 09:001, § 1(2.20.12), 1-20-2009)

Sec. 2-96. - Mayor relationship.

- (a) *Defining authority.* In exercising its management responsibilities, the city council reserves its authority to approve policy which represents broad statements of its intentions, approves plans and programs, and delegate authority of administration to the mayor, except those rights that are by law conferred upon or reserved to the city council. The city council delegates the authority of the mayor to hire capable personnel within an approved wage and salary policy, to plan and establish schedules and to train, supervise and terminate employees. Per A.C.A. § 14-42-110, the city council reserves the authority to review the hiring or removal of a department head and may overturn the hiring or removal of a department head by the mayor upon two-thirds majority of the total membership of the city council.
- (b) *Definition of responsibilities.*
  - (1) The mayor has the principal responsibility for directing the operations of the city government and for advising and assisting the city council in its deliberations. In connection with the latter responsibility, the city council expects and requests the mayor to furnish it with whatever data, information, and material it may need to properly carry out its functions in an informed manner.
  - (2) The mayor also has the principal responsibility to ensure that the city's administrative officers, department heads, and directors understand and obey all local, state, and federal laws pertaining to the city's operations, and when a violation of any law is discovered, that immediate disclosure is made to the city council and proper and adequate disciplinary measures are taken against the responsible employee or employees.
  - (3) The city council also expects the mayor to abide by the city's Code of Ethics, the city council also expects the mayor to require the city's administrative officers, department heads, and directors to abide by the city's Code of Ethics.
- (c) *City council/mayor cooperation.*
  - (1) Efficient management of the city can exist only through mutual understanding and complete cooperation between the city council and the mayor. The mayor's performance cannot be of the best unless he/she is given the latitude to exercise independent judgment in executing policies of the city council. The city council acknowledges that obligation and gives the mayor the latitude of judgment and discretion, and expects faithful performance in carrying out the policies of the city council.
  - (2) It shall be understood that administrative authority for the management of the city rests with the mayor. Members of the city council should refrain, as individuals, from giving specific direction or instruction to city personnel pertaining to the discharge of assigned duties, however, open communication between council members and city employees is encouraged and expected to guarantee sound decisions based upon the free flow of information.

(Ord. No. 09:001, § 1(2.20.13), 1-20-2009)

Sec. 2-97. - Citizen committees.

- (a) *Authorization by the city council.* The city council may authorize citizen advisory boards, committees, and commissions to assist the city council in discharging its responsibilities more effectively. Authorization will be made by a majority vote of the city council.
- (b) *Selection guidelines.* The mayor shall have the responsibility of coordinating the selection process of members for the citizen advisory groups prior to the final city council approval. The objectives of the selection process shall be as follows:
  - (1) To provide a broad cross section of qualified individuals for service on the appointed bodies;
  - (2) To provide an opportunity for participation in city affairs by interested citizens; and
  - (3) To provide a means for involvement of all city council members in the selection process.The city council will act officially on all appointments in public session.
- (c) *Vacancy policy for boards and commissions.* In cases in which this division is not in conflict with state or federal law, any city board or commission position which term has expired for a period longer than 60 days shall be declared vacant. (Ord. No. 09:001, § 1(2.20.15), 1-20-2009)

Sec. 2-98. - Code of ethics.

- (a) *General.* Council Members, other elected city officials and the city's administrative officers, department heads, and directors occupy positions of public trust. All business transactions of such officials dealing in any manner with public funds, either directly or indirectly must be subject to the scrutiny of public opinion both to the legality and to the propriety of such transactions.
- (b) *Conflict of interest.* Council Members, other elected officials, and the city's administrative officers, department heads, and directors shall refrain from making use of special knowledge or information gained by virtue of their elected office or position before it is made available to the general public; shall refrain from making or influencing decisions involving business associates, customers, clients, competitors, and immediate family members and shall comply with all lawful actions, directives and orders of duly constituted municipal officers as such may be issued in the normal and lawful discharge of the duties of these municipal officers. Nothing herein, however, shall serve to deny any of the above-mentioned of their legal rights and privileges available to all citizens of the city.
- (c) *Responsibility to all citizens.* Council Members, other elected officials, and the city's administrative officers, department heads, and directors shall conduct themselves so as to bring credit upon the city as a whole and so as to set an example of good ethical conduct for all citizens of the community. Council Members, other elected officials, and the city's administrative officers, department heads, and directors shall bear in mind at all times their responsibility to all Jonesboro citizens, shall refrain from actions benefiting special interest groups at the expense of the city as a whole, and shall do everything in their power to ensure equal and impartial law enforcement throughout the city without respect to race, creed, color, sex, or the economic or social position of individual citizens.
- (d) *Responsibility to disclose.*
  - (1) In an effort to allow the public full knowledge of financial and personal interests, council members, and other elected city officials are expected to file an annual statement of financial interest as required in A.C.A. § 21-8-701. Council Members, other elected officials, and the city's administrative officers, department heads, and directors are also expected to disclose all real estate holdings within the city limits and any business or financial interest which could affect or be affected by decisions of the city council, other elected city officials, or the city's administrative officers, department heads, or directors. This language shall be interpreted to include real estate holdings and business or financial interests held by the individual, his/her spouse, children, parents or siblings or beneficial interests in a partnership, corporation or any other legal entity.



- (2) Council Members, other elected officials, the city's administrative officers, department heads, and directors, shall also disclose any familial relationships with any other city official or employee which could affect or be affected by decisions of the city council, the mayor, a city administrative officer, department head, or director.
- (3) The financial and familial disclosures should be made in writing and filed with the city clerk before February 1 of each year; any changes in disclosure information during the year must be filed with the city clerk's office within 30 days of such change.
- (4) No non-elected city officials and employees are required to include his/her home address on disclosure documents, per Act 213 of 2003 (A.C.A. § 25-19-105).

(Ord. No. 09:001, § 1(2.20.14), 1-20-2009)

Secs. 2-99—2-122. - Reserved.

## April Leggett

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**From:** Chris Gibson <chris.gibson@arcare.net>  
**Sent:** Thursday, March 14, 2019 9:26 AM  
**To:** City Clerk  
**Subject:** Nominating and Rules

Good morning, I hope all is well. Public Services can be canceled and rescheduled for the second Tuesday in April due to lack of agenda items. The only thing I need added to that agenda are reports from JETS as well as Parks.

Ann Williams has agreed to Chair the Nominating and Rules meeting in my absence. The items that need to be discussed at Nominating and Rules on Tuesday are as follows:

- 1) The deadline for submission for Agenda items was agreed by the committee to be 3:00 PM on the Wednesday prior to the council meeting. This was apparently omitted without reason. It was overlooked initially by the committee prior to forwarding to full council. The committee needs to discuss this issue and determine if we need to amend the Rules and Procedures on the council floor to reflect this deadline.
- 2) Amend the appointments that were adopted by council on March 5, 2019. The appointment of Al Herringer to the CWL board needs to be amended to reflect that his term expires on February 29, 2020. Once this resolution has been amended Brenda Tubbs at CWL would like a copy for her files.

Please forward this to all members of Nominating and Rules so they can review prior to the meeting.

Regards, CG....

**Chris Gibson** | Chief Operating Officer  
**ARcare** | 2816 Fox Meadow Lane | Jonesboro, AR 72401  
O: 870-336-1676 | F: 870-336-1679 | [arcare.net](http://arcare.net)

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