



City of Jonesboro

Municipal Center
300 S. Church Street
Jonesboro, AR 72401

Meeting Minutes City Council

Tuesday, March 5, 2019

5:30 PM

Municipal Center

SPECIAL CALLED NOMINATING AND RULES COMMITTEE MEETING AT 4:45 P.M.

PUBLIC WORKS COMMITTEE MEETING AT 5:00 P.M.

PUBLIC HEARING AT 5:20 P.M.

Mayor Harold Perrin asked if anyone in the audience wished to speak for or against the public hearing regarding abandoning and vacating the undeveloped 15' utility easement lying within Lot 49 of Sage Meadows Phase 1-B as requested by Benchmark Land Surveying on behalf of Donald Farrow and Carole Schlitt. No one spoke in opposition.

1. CALL TO ORDER BY MAYOR PERRIN AT 5:30 P.M.

2. PLEDGE OF ALLEGIANCE AND INVOCATION

3. ROLL CALL BY CITY CLERK DONNA JACKSON

Present 11 - Ann Williams; Charles Frierson; Chris Moore; John Street; Mitch Johnson; Gene Vance; Chris Gibson; Charles Coleman; Joe Hafner; David McClain and LJ Bryant

Absent 1 - Bobby Long

4. SPECIAL PRESENTATIONS

5. CONSENT AGENDA

Approval of the Consent Agenda

A motion was made by Councilperson Chris Moore, seconded by Councilperson John Street, to Approve the Consent Agenda. The motioned PASSED

Aye: 11 - Ann Williams; Charles Frierson; Chris Moore; John Street; Mitch Johnson; Gene Vance; Chris Gibson; Charles Coleman; Joe Hafner; David McClain and LJ Bryant

Absent: 1 - Bobby Long

[MIN-19:019](#)

MINUTES FOR THE CITY COUNCIL MEETING ON FEBRUARY 19, 2019

Attachments: [City Council Minutes 02192019.pdf](#)

This item was passed on the consent agenda.

[RES-19:018](#)

A RESOLUTION TO ENTER INTO A CONTRACT WITH GRANICUS, INC. FOR THE PURCHASE OF A DIGITAL ENCODER AND THE ANNUAL SUBSCRIPTION FEE FOR THE ENCODING APPLIANCE SOFTWARE FOR THE CITY OF JONESBORO, ARKANSAS

Sponsors: City Clerk

Attachments: [AR Jonesboro Q37378-2019JAN25.pdf](#)
 [Granicus Encoding Appliance Technical Solutions Guide \(Amax\) \(1\).pdf](#)

This item was passed on the consent agenda.

Enactment No: R-EN-026-2019

[RES-19:019](#)

RESOLUTION AUTHORIZING THE CITY OF JONESBORO GRANTS AND COMMUNITY DEVELOPMENT DEPARTMENT TO APPLY FOR THE DEPARTMENT OF HOMELAND SECURITY FY 2018 STAFFING FOR ADEQUATE FIRE AND EMERGENCY RESPONSE GRANT (SAFER)

Sponsors: Grants and Fire Department

This item was passed on the consent agenda.

Enactment No: R-EN-027-2019

6. NEW BUSINESS

ORDINANCES ON FIRST READING

[ORD-19:010](#)

AN ORDINANCE REGARDING ABANDONING AND VACATING THE UNDEVELOPED 15' UTILITY EASEMENT LYING WITH LOT 49 OF SAGE MEADOWS PHASE 1-B AS REQUESTED BY BENCHMARK LAND SURVEYING ON BEHALF OF DONALD FARROW AND CAROLE SCHLITT

Attachments: [Petition.pdf](#)
 [Plat.pdf](#)
 [Utility Abandonment - Sage Meaows Lot 49 - Benchmark.pdf](#)
 [PandE Letter.pdf](#)
 [AT&T.pdf](#)
 [CenterPoint.pdf](#)
 [CWL.pdf](#)
 [Ritter.pdf](#)
 [Suddenlink.pdf](#)

Councilmember John Street motioned to suspend the rules and offer ORD-19:010 by title only, seconded by Councilmember Chris Moore. All voted aye.

Councilmember John Street motioned to suspend the rules, waive second reading and

hold, seconded by Councilmember Chris Moore. All voted aye.

Councilmember Joe Hafner said I have one question on this item. There is a resolution in the attachments. Is that something that we need to look at, also? I was not sure if that was needed. City Clerk Donna Jackson said that was the public hearing that we had earlier. Councilmember Hafner said thank you. Mayor Perrin said you're quite welcome.

Placed on third reading

[ORD-19:012](#)

AN ORDINANCE TO AMEND CHAPTER 117, ARTICLE III, KNOWN AS THE ZONING ORDINANCE OF THE CITY OF JONESBORO, ARKANSAS, PROVIDING FOR CHANGES IN ZONING BOUNDARIES FROM R-1, SINGLE FAMILY RESIDENTIAL DISTRICT TO I-1, GENERAL INDUSTRIAL DISTRICT FOR PROPERTY LOCATED AT 901 WILLETT ROAD AS REQUEST BY JOHN EASLEY OF ASSOCIATED ENGINEERING ON BEHALF OF CRAIGHEAD COUNTY JUDGE MARVIN DAY

Attachments: [Ordinance.pdf](#)
 [Plat.pdf](#)
 [Application.pdf](#)
 [Staff Summary.pdf](#)
 [MAPC Tuesday February 26 2019.pdf](#)
 [901 Willet Rd Notification.pdf](#)
 [901 Willet Rd Rezoning Map.pdf](#)
 [901 Willet.pdf](#)
 [19021.pdf](#)
 [CSU - Property Owner Notification.pdf](#)
 [CSU Certified Mail Receipts.pdf](#)
 [Receipt 3.pdf](#)
 [Request for Review MAPC.pdf](#)
 [Rezoning Plat.pdf](#)

Councilmember John Street motioned to suspend the rules and offer ORD-19:012 by title only, seconded by Councilmember Chris Gibson. All voted aye.

Councilmember John Street said I motion that we hold this to three readings.

Mayor Harold Perrin said we are glad to have Judge Marvin Day in attendance. I don't believe there is any rush in getting this rezoned. So, we'll hold it at the first reading.

Held at one reading

7. UNFINISHED BUSINESS

ORDINANCES ON SECOND READING

[ORD-19:006](#)

AN ORDINANCE TO VACATE AND ABANDON THE NORTH SEVEN AND ONE HALF FEET (7.5') OF THE SOUTH FIFTEEN FEET (15') WIDE DRAINAGE EASEMENT ALONG THE SOUTH PROPERTY LINE OF LOT 17 BLOCK "A" OF TWIN OAKS SUBDIVISION AS REQUESTED BY CARLOS WOOD ON BEHALF OF CHRIS FUTRELL

Attachments: [notarized petition.pdf](#)
 [plat.pdf](#)
 [PandE Letter.pdf](#)
 [adjacent owner concurrence letter.pdf](#)
 [ATT.pdf](#)
 [Center Point Entergy Drainage Release Form.pdf](#)
 [CWL Response-DRAINAGE ESMT - TWIN OAKS.pdf](#)
 [Ritter Response.pdf](#)
 [Suddenlink Easement Abandonment Response.pdf](#)

Held at second reading

ORD-19-007

AN ORDINANCE TO AMEND CHAPTER 117, KNOWN AS THE ZONING ORDINANCE PROVIDING FOR CHANGES IN ZONING BOUNDARIES FOR PROPERTY LOCATED ON LOTS 21 AND 22 OF DUDLEY'S SUBDIVISION (FRED STREET) FROM GENERAL COMMERCIAL DISTRICT, C-3 TO MULTI-FAMILY RESIDENTIAL, RM-16 LUO AS REQUESTED BY CARLOS WOOD ON BEHALF OF HAROLD AND LINDA SIMPSON

Attachments: [Staff Summary - Fred Street.pdf](#)
 [Turner-FredSt Rezoning-PLAT.pdf](#)
 [Application.pdf](#)
 [Notification Letter.pdf](#)
 [Rezoning Plat.pdf](#)
 [Turner Rezoning Map.pdf](#)
 [PLack_email_ORD-19-007.pdf](#)
 [PLack_email_02262019_ORD-19-007.pdf](#)
 [Handout_Fred.pdf](#)

Councilmember Charles Frierson asked if a motion was needed for title only on these ordinances. City Attorney Carol Duncan said once we've made the motion to suspend the rules on the first reading, my interpretation is that the rules are then suspended on the future readings. Councilmember Frierson said thank you.

Councilmember David McClain said I have a couple of questions. The main question we keep coming back to is where does Nettleton Public Schools stand in their view of having multi-family. I know one didn't meet all the criteria anyway, but what are some of the comments you received from them? Have you heard from them? Councilmember Gene Vance said excuse me, but I would like Planning Director Derrel Smith to clarify one thing. Please clarify what multi-family is defined as in our ordinances. Mr. Smith said multi-family is defined as three units and above. This one has a limited use overlay on the zoning district, so it is limited to two duplexes, which is one duplex per lot. Councilmember McClain said so, the duplex doesn't count as a multi-family? It counts as a single-family. Mr. Smith said it's considered a single-family residence. Councilmember McClain said back to my original question. Have we heard anything from the school? Mr. Smith said we haven't heard anything from the school.

Councilmember Joe Hafner said I would like to make a comment regarding that. There was a comment made or comments made at the last meeting about Nettleton Superintendent James Dunavin having sent a letter stating that the school was against all future multi-family subdivisions. I went back and tried to find that letter and I

couldn't. So, if someone has it then they can forward it to me. My other comment is that I don't really think that is the way we need to operate anyway. Every multi-family project is different. If this was 200 apartments for a retirement community then that doesn't impact the school, at all. I just don't think a blanket letter stating that they are against all future multi-families is the way we need to let the school district operate. I think they need to respond as they want to, but to each individual rezoning request.

Councilmember John Street said when the superintendent wrote that letter, it was on the apartments that were proposed on South Caraway Road. I don't think he meant anything about duplexes. I know in talking to Mr. Dunavin that his big concern with even those multi-family was consideration for drop-off and pick-up points for buses where they weren't just putting kids out on the street. So, I agree with Councilmember Hafner. You can't take a blanket letter and apply it across the board. I have made several attempts to contact the superintendent and I haven't heard back from him, but I do believe that if they had an opposition, they would have forwarded a letter post-haste. Councilmember Chris Moore said in the letter Mr. Dunavin forwarded about the Caraway apartments, he was not specifically opposed to those. He was opposed to future large developments, including that one. Councilmember Vance said I may be wrong, but I don't think our ordinances are set up, and maybe we need to change them, to where the superintendent of a school district or the school board of a school district can blackball, if you will, a proposal for rezonings in this council. I think that was something that was put in to give the Metropolitan Area Planning Commission, MAPC, some guidance, but I don't think it's ever been put in our ordinances. If we are going to allow that then we need to have a long, hard look at our ordinances, and then decide before we pass it if that will stand to muster when it goes to court.

Councilmember Street said it was put in, but it was just a checkbox like everything else. Ms. Duncan said it's just requiring notification, but not approval. Councilmember Street said it is just so they can make plans to prepare or have knowledge of a major apartment development or something that would affect the school. It does affect their classrooms and the number of teachers they have to have. Councilmember Moore said I think Judge Fogleman has reminded us that even the list of items that we do take into consideration don't all carry the same weight. In other words, you don't have to have unanimous support on all those items to pass or deny.

Mr. Bryan Marsh, 6611 Whispering Pines Lane, said I own the Harley-Davidson dealership and I have owned it for 44 years. This is right down the road from my dealership. Since there has been apartments around there, here lately, we have seen a lot more crime. I have had trailers stolen and my dumpster is full from the people in the apartments using it. I think the people around there that I have spoken to are opposed to having more apartments in that area.

Debra Fletcher, 2705 Fred Street, said I live right across from the lots in question and I do oppose apartments being put in there.

Patti Lack, 4108 Forest Hill Road, said I think that learning a little bit more about this neighborhood with some of the zonings here in Jonesboro is that I know that the houses across the street are all single-family houses. Those are all zoned R-2. I don't know if we need to make a change because Mr. Smith is saying that a duplex is an R-2. Someone could come in and offer all those people houses and before you know it we have duplexes in that whole neighborhood. When I went to go look at that neighborhood, there are a lot of duplexes. I never knew that rule because it has an old rezoning of R-2, but if you go right across the street, there are all single-family homes. So, I think my concern, not only for the school, is that it's going to be like a snowball effect. There are a lot right now that are being built and someone is going to come in

there and offer those people money for those houses and the next thing you know is that you're going to get more duplexes. There are only four right now and a couple around the corner, but a couple years from now there might be 24 of them. So, I don't know if we need to do something with the rezonings between R-2 and R-1 because that's an old rezoning on those houses across the street from the lots in question.

Held at second reading

ORDINANCES ON THIRD READING

[ORD-19:002](#)

AN ORDINANCE AMENDING THE MEMBERSHIP OF THE STORMWATER MANAGEMENT BOARD

Sponsors: Engineering

A motion was made by Councilperson John Street, seconded by Councilperson Chris Gibson, that this matter be Passed . The motion PASSED with the following vote.

Aye: 11 - Ann Williams;Charles Frierson;Chris Moore;John Street;Mitch Johnson;Gene Vance;Chris Gibson;Charles Coleman;Joe Hafner;David McClain and LJ Bryant

Absent: 1 - Bobby Long

Enactment No: O-EN-017-2019

[ORD-19:003](#)

AN ORDINANCE TO REPEAL AND REPLACE ORDINANCE 1639 WHICH ESTABLISHED THE AUDITORIUM COMMISSION AND PROVIDED FOR THE RESPONSIBILITIES AND DUTIES OF COMMISSIONERS

Sponsors: Mayor's Office

Attachments: [MOU Auditorium Commission](#)

A motion was made by Councilperson Chris Gibson, seconded by Councilperson Ann Williams, that this matter be Passed . The motion PASSED with the following vote.

Aye: 11 - Ann Williams;Charles Frierson;Chris Moore;John Street;Mitch Johnson;Gene Vance;Chris Gibson;Charles Coleman;Joe Hafner;David McClain and LJ Bryant

Absent: 1 - Bobby Long

Enactment No: O-EN-018-2019

8. MAYOR'S REPORTS

Mayor Harold Perrin said I have a few items to go over with you. I think many of you have received the report, but in February, sales tax was up 4.9% as compared to 2018. We're up on our sales tax the first two months of the year. Our building permits for February were \$17.4 million. Of that, \$15.5 million was commercial and \$1.8 million was residential, which is a good ratio.

I will be leaving Saturday for Washington, D.C. to attend the Board of Directors meeting for the National League of Cities. It looks like they have some good things on the agenda that I can bring back and present to some of the committees. I am on the

finance committee, so I'll bringing back some of that information.

The Colson Caster property has been closed. I know many of you worked on that and I appreciate the committee. It was finally closed and we did get our \$28,500. So, Colson does own the parking lot.

Last month was unusual concerning privilege licenses. We opened up 47 new privilege licenses just in the month of February, which I thought was a big number. That is not a normal month for us, at all. The other thing I wanted to mention on privilege licenses was that we started the year at \$603,035.50, which we billed out and we've collected \$454,942 already. This leaves a balance of \$148,000 that we will need to collect. I do want to remind those in the audience who have a privilege license that there is a penalty on uncollected balances on February 15. The next one is March 15, which we are now getting close to that, and the last one is April 15. If you haven't paid for your business license, please do so to try to avoid additional penalties on you business license.

As you all probably saw in the paper, Code Enforcement has been working very hard on Park Inn for at least two years or so. Park Inn is going down in demolition and Mr. Patel is putting up a \$13 million TownePlace Suites, which is basically an 88-room extended stay, next to McDonald's, which I think is going to dress up Caraway Road dramatically in that corner. So, I'm very pleased to see that.

Someone had asked for figures on payouts at the last Finance Committee meeting and I said I would get those for you. In 2019, the City Council budgeted a line item for what we call accrued payout on retirement. We keep that up to date, and for 2019, and this is only on police and fire, the figure is \$794,761. We took the 25% of both of those and we budgeted about \$250,000 for payout as they leave. So, we'll always keep on top of that. That is something that you always have to look at. We do budget and allow for that. Not everyone is going to retire at the same time, but we do have some people in high paying positions in our uniformed divisions and many of them have retired in January and February. We certainly hate to see those people retire, but, again, I understand that they want to be with their family and grandkids. They've earned it.

9. CITY COUNCIL REPORTS

Councilmember Joe Hafner said first of all, a great job to everyone on the Veterans Village. As chairmember of the Finance Committee, I would like to see a breakdown of how the Veterans Village is going to be set up operationally with the Beck PRIDE Center and what they are going to be doing. Obviously, the grant is going to cover the cost of construction, but someone is going to have to mow the lawn, security, maintenance, etc. So, I'd like to see a presentation, maybe at the next City Council meeting, on what we think the estimates are for that. I know they will be rough estimates, but I just feel like it's something we have to look at when it comes to budget time. I know there are some ideas and thoughts to get more grants to offset some of it. I just want to have an idea of what the operational costs are going to be.

Mayor Harold Perrin said that's no problem. We are waiting on the offer from the Arkansas Development Finance Authority, ADFA, which is the grant itself. I would hope they could get that to us next week. I'll get with Director of Finance Trevor Harvey and we will sit down and go through all that you've just been talking about. Let me make something clear. I think there was a comment made that Beck PRIDE Center would be running the organization. We will have a Memorandum of Understanding,

MOU, approved by their board that they will be screening the applicants and the veterans for the residential housing authority. In addition, they will also be directing those veterans to schools, any needs they may have, etc. We will be looking for a part-time site manager for that and we will be bringing that to you, and that's with the grants that we've been talking about. We'll have that done. Councilmember Hafner said okay. Thank you.

Councilmember Chris Gibson said I have just a couple of things. The Nominating and Rules Committee met earlier tonight. Councilmember Gibson motioned to suspend the rules and walk on RES-19:020, seconded by Councilmember Chris Moore. All voted aye.

Mayor Perrin said we started our first leadership class and two of the people we put on some of these boards went through that class, and I'm real pleased that they approved to serve. I sent the resumes to you all, but I was very pleased on the Community Transportation Advisory Board and also the Jonesboro Urban Forestry Council. We will continue that program. It's been real good. Community Development Director Tiffny Calloway is leaving and I'm meeting with her Thursday to go over everything she has going on in the grants division.

Councilmember Gibson said I would like to go ahead and call a Nominating and Rules Committee meeting before our next City Council meeting on March 19. I'll defer to the City Clerk's office as to what time. We met earlier in regards to ORD-19:004. We were ready to go ahead and forward that to full Council, but it has since come to our attention that there were some omissions that we went over in our working sessions that are not included and I feel that those weren't being discussed on the Council floor.

Councilmember Chris Moore said I know Street Director Steve Tippitt is not here tonight, but do you, Mayor Perrin, have any idea or could Engineering Director Craig Light give us an idea of when Matthews Avenue will be opened back up. Mayor Perrin said I would have to defer to Mr. Light on that. Councilmember Moore said I spoke with Mr. Light and I know there were some issues over the flowable fill. I spoke with him about a week ago. Mr. Light said both City, Water & Light and AT&T removed the flowable fill that was in there and they replaced it. I don't know how it's set up. I did get a phone call that they were concerned that it wasn't going to set up. I'll check on it. Councilmember Moore asked if it was too wide to put plates over. Mr. Light said yes. That is the problem. Councilmember Moore said that's just causing a nightmare right there on Matthews for everybody who lives downtown and, especially, for those going to the hospital. Mayor Perrin said I agree and it's right on the busiest road. We'll check on that tomorrow and just see what we can do.

Councilmember Dr. Charles Coleman said on March 14 at 6:30 p.m. at Parker Park, Metropolitan Planning Organization Director Cecelie Cochran will be hosting a citizen's awareness on the transportation planning process. Mayor Perrin said I will get with Communications Director Bill Campbell and we will do a release on that and get that out there.

[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

Sponsors: Mayor's Office

Councilmember Chris Gibson motioned to suspend the rules and walk on RES-19:020, seconded by Councilmember Chris Moore. All voted aye.

A motion was made by Councilperson Chris Gibson, seconded by Councilperson Ann Williams, that this matter be Passed. The motion PASSED with the following vote:

Aye: 11 - Ann Williams; Charles Frierson; Chris Moore; John Street; Mitch Johnson; Gene Vance; Chris Gibson; Charles Coleman; Joe Hafner; David McClain and LJ Bryant

Absent: 1 - Bobby Long

Enactment No: R-EN-028-2019

10. PUBLIC COMMENTS

11. ADJOURNMENT

A motion was made by Councilperson Chris Moore, seconded by Councilperson Chris Gibson, that this meeting be Adjourned. The motion PASSED with the following vote.

Aye: 11 - Ann Williams; Charles Frierson; Chris Moore; John Street; Mitch Johnson; Gene Vance; Chris Gibson; Charles Coleman; Joe Hafner; David McClain and LJ Bryant

Abstain: 1 - Bobby Long

_____ **Date:** _____

Harold Perrin, Mayor

Attest:

_____ **Date:** _____

Donna Jackson, City Clerk