



# City of Jonesboro

Municipal Center  
300 S. Church Street  
Jonesboro, AR 72401

## Meeting Minutes Nominating and Rules Committee

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Tuesday, January 7, 2020

4:30 PM

Municipal Center

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### SPECIAL CALLED MEETING

#### ELECTION OF A CHAIR

*2019 Chair of Nominating & Rules Committee Chris Gibson turned the committee over to the other side of the council. The Nominating and Rules committee shall be made up of councilmembers from Wards 1, 2, and 3 on odd-number years and council members from Wards 4, 5, and 6 on even-numbered years.*

*Councilmember John Street motioned, seconded by Councilmember LJ Bryant, to nominate Councilmember David McClain as Chair of Nomination and Rules. All present voted aye.*

#### 1. Call To Order

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

**Present** 4 - David McClain; Joe Hafner; LJ Bryant and John Street

**Absent** 2 - Bobby Long and Mitch Johnson

#### 3. Approval of minutes

[MIN-19:105](#)

MINUTES FOR THE NOMINATING AND RULES COMMITTEE ON OCTOBER 15, 2019

**Attachments:** [NandR Minutes 10152019](#)

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

**Aye:** 3 - Joe Hafner; LJ Bryant and John Street

**Absent:** 2 - Bobby Long and Mitch Johnson

#### 4. New Business

#### 5. Pending Items

#### 6. Other Business

Chairman David McClain said, if you guys would, and this is for the council, and I will make that comment also during the council report tonight. I'm asking you all to submit to me via e-mail the committee's that you would like to be on or stay on. I have received some so far, but not all of them.

Mayor Perrin said, that would be good for us Mr. Chair. As you all know pending the Municipal League meeting in Little Rock, the first of the year is to get organized and stuff like that. Obviously we have a Public Works meeting tonight, and as you can see the first thing to do is elect a Chair. As those names come in on that you'll try to put everybody on the committee that they want to be on. Once those people are placed on the committees then that committee appoints a Chair. I carry a list with me in my briefcase, for instance, Dr. Charles Coleman is on the Parks Advisory Board within the Parks Department. You are the Chair of the Rules, the full standing committee. Once you place those people on each committee then each one of those committees appoint a chair. If I need to call someone, I go to my list and see who the chair is, and that is who I call first, then if I don't get you, I go to the next person on the list.

Councilmember John Street said, we are not going to do that tonight are we? Mayor Perrin said, no. Mr. Street said, we are going to operate as whoever was the chair of the committee will be acting chair until one is chosen. Mayor said, the deal I wanted to do tonight is get the chair appointed. Councilmember Gibson asked for this meeting to be held January 7, 2020 at the last council meeting. So what we are saying here is that now you have a chairman, and he's asking you all to submit your names for what committees you want to serve on, and list as many as you want, I guess. It's always been that way. Once you get those names you will bring them back and you will assign those, and then you will need a chair within that committee. Mayor Perrin said, a lot of times when I have a meeting or something, and we are talking about a major parks project then I would like for that chair to be with administration or along with David.

Councilmember John Street said, so are we going to do this at our next regular meeting? Mayor said, I would hope that you would, because I need to get that stuff printed and sent out to you all. Mr. Street said, okay. But, like you alluded to Mayor Perrin, we have a public works meeting after this meeting, are we going to go ahead and operate under last year's committee chairman's, Mayor Perrin said, yes. City Attorney, Carol Duncan said, yes. Mayor Perrin said, yes, excuse me here I'm not trying to play the lawyer here. The committees stay the same until such time you change that. You will pick a chair tonight. After that, then the committees existing chair would still be there is what I am saying.

Councilmember John Street said, how do we do that if we are not appointed to the committee? Mayor Perrin said you're on the committee already. I know, and I put down Public Works, and Finance just like I've always had. Chairman McClain said, I think what he is saying is the committee will stay the same. City Attorney, Carol Duncan said, yes.

Councilmember Joe Hafner said, what led to the confusion was Chris Gibson called it and then David tried to cancel it because everything wasn't ready and he didn't have the power to cancel it. So, everything stays the same. Mayor Perrin said that is correct. Mr. Hafner said, we are making it harder than it has to be. Chairman McClain said, one other thing, and Carol you may want to speak to this. When it reverts back, just to cut down on the confusion maybe we need more clarification on the transition plan.

City Attorney Carol Duncan said, Councilmember Gibson had a good possibility, and that maybe the Nominating and Rules committee meet at the last meeting in

*December, that is the last council meeting in December, and goes ahead and elects their chair, who would then call the next meeting. I think that would be a good idea, but, you all need to set those rules. You can say, the previous chair stays until such time as the committee is called, however you want to do it. But, it would be helpful if you all would write it down in your rules.*

*Councilmember Hafner said, just a question about that recommendation. If we are not technically on the committee until after the first of the year, you can't nominate someone that's not on the committee. Ms. Duncan said, that is true, it would be hard to vote. Attorney Duncan said, that is why you all need to write the rules. You know it is going to go from one side to the other side each year, you just need to designate it in your rules how you want the transition to work. Whether that is that the previous chair stays on until the first meeting in January or whether that you try to meet at the end of the year, however you want to do that. Chairman McClain said, okay. Ms. Duncan said obviously the Nominating and Rules committee can meet whenever you want to, it's just deciding whether you want that to be at the end of the year, it's just more convenient to meet on a council day.*

*Mayor Perrin said, here is what it says, and she's exactly right, I'm not taking any words from Ms. Duncan there. The rules that you have now says in section 2-95 states that you are the only standing internal committee, and that the committee will at the end of each year revert back to the other side of the committee. But, nothing in the rule designates how the Chair of that committee is to be chosen. That is what you need to work on during the year. Every committee of our council elects a Chair of that committee, that's what I was saying earlier when I got ahead of myself. Ms. Duncan said, it just doesn't say what happens during the transition, and I think we had gotten into the habit of whomever sat in the first two seats would automatically be the Chair, and that is not the way it works. I don't know how that happened and nobody noticed, but it did. I think we've just elected Councilmember Gibson so many years in a row, and when it went back to the other side it just became automatic that David assumed the Chair position. Things like that happen, long term memory goes away, and people think well that's the way we've always done it. Mayor Perrin said, I think the reason he called the meeting was just to get the committee together at the very first part of the year to get organized, and that really is what the Municipal League says. We do have business to discuss, no doubt about that. Ms. Duncan said, I would just recommend that you all set your next committee meeting date and set a deadline for any people to have any changes if they have any, and if they haven't submitted them by then you go ahead and meet on that date and assign the committee and move forward.*

*Councilmember Hafner said, with that in mind, what is the timeline for the Mayor to turn in his nomination for the two or three new committees that we have? Chairman McClain said, so our next council meeting is January 21st. Ms. Duncan said, I recommend that the Nominating and Rules Committee set the council committee's on that day, because the whole Council votes on all of the other committees that the Mayor nominated. That won't be done by Nominating and Rules. Mayor Perrin said, when you all approve me to set sub-committees we didn't put a deadline, so we are still getting a lot of names in, particularly on the shooting complex. I would like to have the month of January to get all of those in, and then the first meeting in February I will have all of those committee names ready to come to all of you for approval if that is okay. I am real pleased with the interest from everyone that has submitted their names for all three committees.*

*Chairman McClain said, what we will do is if everyone is in agreement, and I will make this comment tonight, that everyone have their committees of what they want to be on*

*submitted to me before January 21st. I will asked that we set our next Nominating and Rules meeting for the 21st of January. Mayor Perrin said, the last e-mail I got from the Clerk's office there was only four or so that had submitted their preferences. So, tonight you might want to mention on the floor that everyone get the information in to you. Chairman McClain said, I will.*

[COM-19:086](#)

2020 City Council Committee Membership Selection

**Attachments:**     [N&R Selection Process for Council Committee Members](#)  
[Council Committees 2019](#)  
[Committee Preferences 2020](#)

## **7. Public Comments**

*Patti Lack 4108 Forrest Hill Road. I was the one that asked the question last week because I saw that Chris Gibson had called the meeting and then it got canceled and stuff like that. So, what I am getting from this is that we have rules but we kind of let them slip and we didn't follow them as close as what we should and now we are making rules to make sure that we are following them. City Attorney Carol Duncan said, not exactly. Mrs. Lack said, I looked back in the last year of transferring and I don't ever remember a chair being elected. Ms. Duncan said, that is what I am saying in the last couple of years, and I wasn't maybe at the Nominating and Rules committee meeting, but, apparently they didn't actually nominate and vote on a chair. They just automatically assumed it was Councilmember Gibson or automatically assumed it was Councilmember McClain. The rules don't specify how the Nominating and Rules Chair is selected. But, every other Chair is selected by the committee electing them, and I think that is the practice we should follow since that what happens is every other committee does. You can't just assume that just because you sit right here that your automatically the Chair. I just think that is the kind of lull that we had fallen into for a couple of years. So, you can't say that there was a rule that wasn't being followed, because that's not really true, there wasn't a rule. Mrs. Lack said maybe a procedure then wasn't being followed. When Councilmember Gibson said on the 17th it switches sides, and gives it to David.*

*City Attorney Duncan said, what he said, and I think it says it in the minutes, something along the line of it will probably be going to David. He said, it switches sides. Which it does and the rules states that it switches sides every year. He said I suppose it's coming back to you David, or something like that. Mayor Perrin said, he made a comment, David get ready it's coming your way. He did not say I am delegating that to you, he said David get ready cause it's coming to you.*

*Ms. Duncan said, and right there is where the confusion happened. All I am asking is that they clarify the transition procedure so we can determine who is in charge during that time, from January 1st when they flip sides until they can meet and elect a Chair. Patti said, well I think it would be a good idea to meet before the end of the year. Ms. Duncan said but, I understand the problem with that too. Councilmember Hafner said, we are not part of a committee yet, until after the end of the year. Mrs. Lack said, but if you choose the committee you want to be on then on January 1st of that year then all of a sudden you are on that committee verses now you are going to have to wait a couple of weeks now. So, I got kind of confused with it because it just sounded like it was just transferring over, then it got canceled. Ms. Duncan said, it does transfer automatically from side to side that says that in the rules.*

Councilmember Hafner said we don't have to ask to be on this committee. Ms. Duncan said, yes, its automatic, this side is on it one year and the other side is on it the next year. Councilmember Hafner said, just one thing real quick Patti. In my opinion where a little bit of the confusion arose, I don't recall in years prior where someone said "Hey it goes to you next year". Typically, I think the Mayor called the meeting, I just don't remember a meeting being set before the first of the year. I don't think it's as messed up as it appears. Mayor Perrin said, it is not, the only thing you like is just getting the procedure of how the Chiar is elected. Councilmember Hafner said, right. Mayor Perrin said, if you will go back and look at minutes, since I have been here, the Nominating and Rules has always met in early January. You are the only standing committee where you name the other committees, which I have to work with.

Councilmember Hafner said, the easiest thing to do, is like at the end of the year would be for David to call a meeting for the first part of January. Councilmember McClain shows up, calls the meeting to order and transfers to the other side, and they go through their process and it is over. Mayor Perrin said, that is right. Ms. Duncan said, if we would just write that down in the council rules it would just make it that much easier. So, then there is no confusion. Mrs. Lack said, and I think the only other thing is that when the meeting is scheduled and then canceled, then scheduled again, stuff like that is confusing, not that we have very many people here, the public is not notified. Councilmember Street, said they have to be notified by law. Mrs. Lack said do what? Councilmember Street said, they have to be notified by law. Mayor Perrin said yes, they were notified. Mrs. Lack said, I'm sure it was on the city site, but like this morning I was watching the news and it did not mention anything about it. Councilmember Street said if you will contact the City Clerk they will notify you personally. I have, but I am just talking overall with citizens. Ms. Duncan said, I will tell you Nominating and Rules does not have a set meeting time. They are always considered special called meetings.

They meet as needed, so every time you call a Nominating and Rules committee meeting, it is a special called meeting. That follows the rules of a special called meeting which is two hours prior. Deputy Clerk April Legget clarified it is three hours. So a three hour notice to the press and notice to anyone that makes a request. Technically as long as three hours is given. Mrs. Lack said that is not a long time. Attorney Duncan said, it is state law, which is the notice requirement. In this case it was the day before the meeting that notice was given, or early this morning, so we are good. There is no other way to do it, it's a special called meeting, and it will always be a special called meeting. There is not a set standard meeting time for Nominating and Rules. They meet as needed to work on the rules or to make nominations.

Mayor Perrin said, they were all notified. In fact this occurred at 4:30 p.m. yesterday, and the Director of Communications sent that out to all media. Attorney Duncan said, it is the Clerk's job and their office sends out notifications to all media. Mrs. Lack said, and thank you to April for including her in that list. Ms. Duncan said any citizen can contact the Clerk's office to be added to that e-mail list.

## **8. Adjournment**

**A motion was made by Councilperson Joe Hafner, seconded by Councilperson John Street, that this meeting be Adjourned . The motion PASSED with the following vote.**

**Aye:** 3 - Joe Hafner; LJ Bryant and John Street

**Absent:** 2 - Bobby Long and Mitch Johnson