



City of Jonesboro

Meeting Minutes

City Council

900 West Monroe
Jonesboro, AR 72401

Tuesday, December 18, 2007

6:30 PM

Council Chambers

PUBLIC SAFETY COMMITTEE MEETING AT 5:15 P.M.

1. Call to order by the Mayor at 6:30 P.M.

2. Pledge of Allegiance and Invocation

3. Roll Call by the City Clerk

Present 12 - Judy Furr; Darrel Dover; Faye McCall; Ann Williams; Charles Frierson; Cecil Province; Jim Hargis; Chris Moore; Harold Perrin; John Street; Mitch Johnson and Tim McCall

4. Special Presentations

5. Consent Agenda

Approval of the Consent Agenda

A motion was made by Councilperson Jim Hargis, seconded by Councilperson Judy Furr, to Approve the Consent Agenda. A motion was made that these files be approved by consent voice vote

Aye: 12 - Judy Furr; Darrel Dover; Faye McCall; Ann Williams; Charles Frierson; Cecil Province; Jim Hargis; Chris Moore; Harold Perrin; John Street; Mitch Johnson and Tim McCall

MIN-07:1897 Minutes for the December 4, 2007, City Council meeting.

Attachments: [120407](#)

The motion passed BY VOICE VOTE.

RES-07:2441 A RESOLUTION OF THE CITY COUNCIL FOR THE CITY OF JONESBORO TO CONTINUE THE CONTRACT WITH BRACKETT-KRENNERICH AND ASSOCIATES, P.A. FOR ARCHITECTURAL SERVICES RELATED TO THE CONSTRUCTION OF JONESBORO FIRE STATIONS.

Sponsors: Fire Department

Attachments: [contract reduction](#)
[Invoice sample 1](#)
[invoice sample 2](#)
[Original Contract](#)
[Aug 15, 2006 minutes Pulic Safety](#)
[Additional Information](#)

The motion passed BY VOICE VOTE.

Enactment No: R-EN-143-2007

RES-07:2511 A RESOLUTION TO RENEW CONTRACT WITH THE RED CROSS TO USE COMMUNITY CENTERS AS SHELTERS

Attachments: [Agreement with Red Cross for Community Centers as Emergency Shelters](#)

The motion passed BY VOICE VOTE.

Enactment No: R-EN-144-2007

RES-07:2522 A RESOLUTION TO ACCEPT BID NUMBER 2007:47 AND APPROVING THE CONVERSION OF THE JETS FUEL DEPOT

Sponsors: JETS

Attachments: [Bid 2007-47 Fuel System Refurbish Tab](#)
[Fuel Bid](#)

The motion passed BY VOICE VOTE.

Enactment No: R-EN-145-2007

RES-07:2524 A RESOLUTION OF THE CITY COUNCIL FOR THE CITY OF JONESBORO TO CONTRACT WITH JIM MADDOX A.I.A. FOR ARCHITECTURAL SERVICES RELATED TO THE JONESBORO ECONOMICAL TRANSPORTATION SYSTEM.

Sponsors: JETS

Attachments: [Maddox Architect Information](#)

The motion passed BY VOICE VOTE.

Enactment No: R-EN-146-2007

RES-07:2533 A RESOLUTION TO Condemn property at 508 Belt Street

Attachments: [508 Belt.doc](#)
[100_1535.JPG](#)
[100_1536.JPG](#)
[100_1537.JPG](#)
[100_1538.JPG](#)

This matter was Passed

Aye: 12 - Judy Furr;Darrel Dover;Faye McCall;Ann Williams;Charles Frierson;Cecil Province;Jim Hargis;Chris Moore;Harold Perrin;John Street;Mitch Johnson and Tim McCall

Enactment No: R-EN-155-2007

RES-07:2534 A RESOLUTION TO condemn property at 514 Belt Street

Attachments: [514 Belt.doc](#)
[100_1541.JPG](#)
[100_1546.JPG](#)
[100_1543.JPG](#)
[100_1543.JPG](#)

This matter was Passed

Aye: 12 - Judy Furr; Darrel Dover; Faye McCall; Ann Williams; Charles Frierson; Cecil Province; Jim Hargis; Chris Moore; Harold Perrin; John Street; Mitch Johnson and Tim McCall

Enactment No: R-EN-156-2007

RES-07:2535 A RESOLUTION TO Condemn property at 516 Belt Street

Attachments: [516 Belt.doc](#)
[100_1550.JPG](#)
[100_1551.JPG](#)
[100_1559.JPG](#)
[100_1554.JPG](#)

This matter was Passed

Aye: 12 - Judy Furr; Darrel Dover; Faye McCall; Ann Williams; Charles Frierson; Cecil Province; Jim Hargis; Chris Moore; Harold Perrin; John Street; Mitch Johnson and Tim McCall

Enactment No: R-EN-157-2007

RES-07:2536 A RESOLUTION TO Condemn property at 517 Houghton Street.

Attachments: [517 Houghton St.doc](#)
[100_1645.JPG](#)
[100_1648.JPG](#)
[100_1650.JPG](#)
[100_1649.JPG](#)

The motion passed BY VOICE VOTE.

Enactment No: R-EN-147-2007

RES-07:2537 A RESOLUTION TO Condemn property at 521 Houghton Street

Attachments: [521 Houghton St.doc](#)
[100_1653.JPG](#)
[100_1655.JPG](#)
[100_1654.JPG](#)
[100_1658.JPG](#)

The motion passed BY VOICE VOTE.

Enactment No: R-EN-148-2007

RES-07:2545 A RESOLUTION OF THE CITY OF JONESBORO, ARKANSAS TO AUTHORIZE THE MAYOR AND CITY CLERK TO ACCEPT PROPERTY (PERMANENT EASEMENT) DESCRIBED AS "THE NORTH 10 FEET OF LOT 7 OF HUNTER'S RUN ADDITION TO THE CITY OF JONESBORO, ARKANSAS" FOR PIPE INSTALLATION AND

MAINTENANCE;

Sponsors: Engineering

Attachments: [Perm Easement Wilma Butler](#)

The motion passed BY VOICE VOTE.

Enactment No: R-EN-149-2007

RES-07:2549 A RESOLUTION OF THE CITY OF JONESBORO, ARKANSAS TO AUTHORIZE THE MAYOR AND CITY CLERK TO ACCEPT PROPERTY (PERMANENT DRAINAGE EASEMENT) DESCRIBED AS A 20' DRAINAGE EASEMENT CROSSING LOTS 6 AND 7 OF JASON WILLIS REPLAT FOR MAINTENANCE;

Sponsors: Engineering

Attachments: [Willis Replat](#)

The motion passed BY VOICE VOTE.

Enactment No: R-EN-150-2007

RES-07:2551 RESOLUTION FOR DISCUSSION PURPOSES TO BE REFERRED TO THE FINANCE COMMITTEE CONCERNING INFORMATION REGARDING THE PROPOSED 2008 BUDGET

The motion passed BY VOICE VOTE.

Enactment No: R-EN-151-2007

RES-07:2558 RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JONESBORO, ARKANSAS AUTHORIZING THE MAYOR AND CITY CLERK TO PURCHASE PROPERTY LOCATED AT 1213 BURKE AVE., JONESBORO, ARKANSAS FOR THE PURPOSE OF ESTABLISHING A DETENTION POND.

Sponsors: Public Works and Engineering

Attachments: [1213 Burke](#)

The motion passed BY VOICE VOTE.

Enactment No: R-EN-152-2007

RES-07:2559 A RESOLUTION OF THE CITY OF JONESBORO, ARKANSAS TO ENTER INTO A CONTRACT WITH ASSOCIATED ENGINEERING AND TESTING LLC TO PROVIDE LAND SURVEYOR SERVICES RELATED TO THE PATRICK STREET IMPROVEMENTS;

Sponsors: Engineering

Attachments: [Agreement - Patrick Street](#)

This matter was Referred to the Finance & Administration Council Committee.

Aye: 12 - Judy Furr; Darrel Dover; Faye McCall; Ann Williams; Charles Frierson; Cecil Province; Jim Hargis; Chris Moore; Harold Perrin; John Street; Mitch Johnson and Tim McCall

Enactment No: R-EN-001-2008

RES-07:2560 A RESOLUTION OF THE CITY OF JONESBORO, ARKANSAS TO ENTER INTO A CONTRACT WITH HAYWOOD, KENWARD, BARE & ASSOCIATES, INC. TO PROVIDE LAND SURVEYOR SERVICES RELATED TO THE RACE STREET IMPROVEMENTS;

Sponsors: Engineering

Attachments: [Agreement - Race Street](#)

This matter was Referred to the Finance & Administration Council Committee

Aye: 12 - Judy Furr; Darrel Dover; Faye McCall; Ann Williams; Charles Frierson; Cecil Province; Jim Hargis; Chris Moore; Harold Perrin; John Street; Mitch Johnson and Tim McCall

Enactment No: R-EN-002-2008

RES-07:2562 A RESOLUTION TO CONTRACT WITH ARKANSAS PARKS AND TOURISM FOR THE 2007 OUTDOOR RECREATION GRANT

Sponsors: Parks & Recreation

Attachments: [2007 Outdoor Recreation Grant Contract 11-28-2007](#)

The motion passed BY VOICE VOTE.

Enactment No: R-EN-153-2007

RES-07:2564 RESOLUTION TO SET A PUBLIC HEARING FOR THE ABANDONMENT OF A STREET RIGHT OF WAY LOCATED ON E STREET AS REQUESTED BY JUDITH CHESTER

Attachments: [Plat](#)
[Utility Letters](#)
[Petition](#)

The motion passed BY VOICE VOTE.

Enactment No: R-EN-154-2007

6. New Business

Ordinances on First Reading

ORD-07:3082 AN ORDINANCE TO INSTITUTE A SUPPLEMENTAL PAY INCENTIVE PLAN FOR SWORN OFFICERS OF THE JONESBORO POLICE DEPARTMENT

Sponsors: Police Department and Mayor's Office

Attachments: [APPENDIX B education](#)
[Cert Appendix A](#)
[Example Salary Spreadsheet](#)
[PT Appendix C](#)

Councilman Moore offered the ordinance by Title Only.

Councilman Moore moved, seconded by Councilman Street to suspend with the second and third readings. A voice vote was taken resulting in all members voting aye.

A motion was made by Councilperson Chris Moore, seconded by Councilperson John Street, that this matter be Passed . The motion PASSED by a unanimous vote.

Councilman Dover moved, seconded by Councilman Johnson for the adoption of the emergency clause. A roll call vote was taken resulting in all members voting aye.

Aye: 12 - Judy Furr;Darrel Dover;Faye McCall;Ann Williams;Charles Frierson;Cecil Province;Jim Hargis;Chris Moore;Harold Perrin;John Street;Mitch Johnson and Tim McCall

Enactment No: O-EN-052-2007

ORD-07:3165

AN ORDINANCE TO AMEND SECTION 14.44.02 AND 14.44.03 OF TITLE 14 KNOWN AS THE ZONING ORDINANCE OF THE CODE OF ORDINANCES OF THE CITY OF JONESBORO, ARKANSAS FOR THE PURPOSE OF CLARIFICATION ON THE PERMIT DRAWING REQUIREMENTS AS IT RELATES TO MULTI-FAMILY AND COMMERCIAL APPLICATIONS

Sponsors: Metropolitan Area Planning Commission

Attachments: [Text Amendment Memo Public Works](#)

Councilman Street offered the following ordinance for first reading by title only.

Councilman Moore moved, seconded by Councilman Street to suspend with the second and third readings. The motion carried with all members voting aye.

A motion was made by Councilperson Chris Moore, seconded by Councilperson Ann Williams, that this matter be Passed . The motion PASSED by a unanimous vote.

Councilman Street moved, seconded by Councilwoman Williams for the adoption of the emergency clause. A roll call vote was taken resulting in all members voting aye.

Aye: 12 - Judy Furr;Darrel Dover;Faye McCall;Ann Williams;Charles Frierson;Cecil Province;Jim Hargis;Chris Moore;Harold Perrin;John Street;Mitch Johnson and Tim McCall

Enactment No: O-EN-053-2007

ORD-07:3171

AN ORDINANCE ACCEPTING CERTAIN LANDS ANNEXED TO THE CITY OF JONESBORO, ARKANSAS, BY ORDER OF THE COUNTY COURT OF CRAIGHEAD COUNTY, ARKANSAS; ASSIGNING SAID ANNEXED TERRITORIES TO A PARTICULAR WARD; DECLARING THE ZONING FOR THE ANNEXED TRACT; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES.

Attachments: [Plat A](#)
[Plat B](#)
[Procedure for Annexation as prepared by Planning Office](#)
[MAPC Report](#)
[Order of Annexation](#)
[Order of Confirmation of Annexation](#)

Councilman Street offered the ordinance for first reading by title only.

Attorney Charles Mooney, Sr. (Skip) representing Mr. and Mrs. Randy Wrinkles stated all

requirements have been met according to State law including a zoning classification that has been recommended by the Planning Commission. Attorney Mooney stated he provided survey work to Mr. Otis Spriggs, City Planner for the purpose of extending the right of ways. Councilman Perrin questioned if there was a check list when property is annexed into the city. Mr. Spriggs explained it is reviewed by the Planning Commission, but there is no check list other than the actual process. Councilman Moore stated he would like to know if there are drainage issues that need to be addressed, as well as streets and if they meet city standards. Councilman Moore requested Otis Spriggs to provide a report at the next City Council meeting regarding the drainage and streets. Mr. Spriggs stated the MAPC approved the annexation with the stipulation because of two streets that were lacking the minimal right of way width. Mr. Spriggs stated they would coordinate with the other departments. It was explained this is undeveloped property with the exception of improved right of way fronting. Councilman Moore explained he does not want to annex 8 1/2 acres that contains streets that do not meet city standards even if right of way is given.

Councilwoman Furr requested the MAPC reports be placed into Legistar for the annexation.

Chief Yates concurred that the Police Department needs to be consulted regarding annexations, that while this has met State regulations the City of Jonesboro would be within thier rights to be more restrictive with regard to public safety.

Attorney Mooney stated he had been provided City regulations by the Planning Office regarding this annexation. See Attachment.

This Ordinance wasHeld at one reading

Enactment No: O-EN-003-2008

Councilman Province asked to be recognized by Chairman Perrin, who was presiding over the meeting in the absence of Mayor Formon. Councilman Province explained he was contacted by a citizen complaining that there was no audio of the meeting.

Councilman Johnson stated even if it was being aired the programs are not audible.

City Clerk Donna Jackson questioned if anyone with in the City of Jonesboro was keeping visual recordings of the City Council meetings. Councilman Moore stated that is what Councilman Hargis asked for several meetings ago. Councilman Hargis stated he was looking for accountability. Alan Young, IT Director explained they are being kept by Mayor Formon's Office. City Clerk Donna Jackson explained visual recordings are a public record that should be maintained by the City Clerk's Office. She explained past FOI requests have been made to the City Clerk's Office for visual recordings and they were told the City does not maintain such records, only to find out they are being kept. She requested all visual recordings be provided to her immediately.

7. Unfinished Business

Ordinances on Third Reading

ORD-07:3168 AN ORDINANCE TO AMEND TITLE 14 KNOWN AS THE ZONING ORDINANCE PROVIDING FOR CHANGE IN ZONING DISTRICT BOUNDARIES FROM R-3 (MULTI-FAMILY HIGH DENSITY) TO CR-1 L.U.O (COMMERCIAL RESIDENCE MIXED USE DISTRICT) LOCATED AT 2300 STADIUM BLVD., 3006 PARKWOOD ROAD AS REQUESTED BY BEN FORD

Attachments: [Property Description](#)
[Plat A](#)
[Plat B](#)
[MAPC Report](#)

Councilman Moore moved, seconded by Councilman Frierson for the adoption of the emergency clause. A voice vote was taken resulting in all members voting aye. The motion carried.

A motion was made by Councilperson Jim Hargis, seconded by Councilperson Jim Hargis, that this matter be Passed . The motion PASSED by an unanimous vote

Aye: 12 - Judy Furr;Darrel Dover;Faye McCall;Ann Williams;Charles Frierson;Cecil Province;Jim Hargis;Chris Moore;Harold Perrin;John Street;Mitch Johnson and Tim McCall

Enactment No: O-EN-054-2007

ORD-07:3169 AN ORDINANCE TO AMEND TITLE 14 KNOWN AS THE ZONING ORDINANCE PROVIDING FOR THE CHANGE IN ZONING BOUNDARIES FROM RESIDENTIAL (R-1) TO RESIDENTIAL (R-12) LOCATED AT 4707 SOUTH CARAWAY ROAD BETWEEN COUNTRY VIEW CIRCLE AND HURST LANE AS REQUESTED BY BOB HARRISON

Attachments: [MAPC Report](#)
[Plat](#)

Councilman Moore moved, seconded by Councilman Hargis for the adoption of the emergency clause. A voice vote was taken resulting in all members voting aye, with the exception of Councilman Moore and Councilman Johnson who voted nay. The motion carried.

A motion was made by Councilperson Chris Moore, seconded by Councilperson John Street, that this matter be Passed . The motion PASSED by an unanimous vote

Aye: 12 - Judy Furr;Darrel Dover;Faye McCall;Ann Williams;Charles Frierson;Cecil Province;Jim Hargis;Chris Moore;Harold Perrin;John Street;Mitch Johnson and Tim McCall

Enactment No: O-EN-055-2007

8. Mayor's Reports

Misty Micenhamer provided information on rolling stock by department;full time employees were sent in an email to all Aldermen on December 7,2007; square mileage linear mileage; and landfill enclosure amounts. She stated if the council needs further information please let her know. She also provided a report, which she called monthly highlights. It provides an overview of the work being done by each department. She explained future reports will be done electronically on the second Council meeting of every month. She asked that Council members should contact the various department heads if they have questions pertaining to the report.

9. City Council Reports

Councilman Street announced a Stormwater Committee meeting for tomorrow at 8:30 a.m. to be held at the City Council Conference Room located at the Huntington Building.

Councilman Dover announced the Finance Committee meeting for Thursday at 4:00 p.m.

to be held at the City Council Conference Room located at the Huntington Building.

Councilman McCall questioned Ms. Micenhamer as to where Mayor Formon was on making appointment recommendations for boards and commissions. He explained the Council passed legislation trying to complete ten appointments which some have been vacant for up to a year. Ms. Micenhamer explained Mayor Formon has the list and is working on its finalization. She stated Mayor Formon should be requesting a Nominating and Rules meeting fairly quickly. Councilman McCall explained members of the Nominating and Rules Committee are willing to meet because they have been waiting a long time. He further stated it should not take legislation to get the Mayor to do his job and the job is not getting done. Ms. Micenhamer stated Mayor Formon has just hired a new part time employee who has the list. Councilman McCall responded saying it is the Mayor's appointments and it is not the responsibility of part time help. Ms. Micenhamer explained they are trying to get prepared so this will not happen again.

Councilman McCall questioned the status of the \$800,000 GIS package. Councilman Street stated it was the county parcels and asked if there were other layers. Mr. Alan Young stated it has been completed and is fully operational.

Councilman Moore again asked about the potential for carbon credits and a written statement from FTN. Mr. Tony Thomas stated there is no deadline for the City of Jonesboro to complete an application to qualify if the City's landfill qualifies for that particular credit. He stated there is no expiration for the City to use the carbon credits. He stated the program (as we know it) is only scheduled to run through 2010, but as long as they have a viable program in place by that time they can still sell their credits if their landfill project qualifies. He stated there has been a lot of discussion with CCX regarding whether or not the City of Jonesboro was mandated by ADEQ in order to put in the methane collection system, but there is no definitive decision at this time. Mr. Thomas stated CCX wants to know when the closure process began. He stated from his research the process began before they made any move to Craighead County Solid Waste Disposal Authority. He explained there were plans in place to close the landfill even when they were looking at opening another landfill. Mr. Thomas explained he has received nothing in writing from FTN, even though he has requested it in writing. Councilman Moore requested Mr. Thomas provide the oral communications. Mr. Thomas stated the information was relayed to Andy Adams who was acting as the City's Attorney in this matter and Mark of FTN indicated they had contacted un-named city personnel. Mr. Thomas explained he is trying to follow the trail of how the information was relayed. Councilman Moore questioned the status of the flare start up, referring to Ms. Micenhamer's report which stated the flare start up was scheduled for the first week of January. Mr. Thomas stated they were still looking at the process, stating they want to know what is out there prior to terminating FTN. He further explained there is flexibility for the start date of the flare, but the mandate by ADEQ was for the clay cap which has been met. He stated the flare start up could be put off. Councilman Moore requested Mayor Formon contact FTN with regard to the flare. Councilman Frierson stated it was his opinion that maintenance of the flare is not that complicated and a decision should be made on doing it internally before taking bids. Councilman Moore explained the City has three options: do it ourselves, hire FTN, or hire a third party to do it on the City's behalf. Mr. Thomas explained the initial start up of the flare is one issue, but the long term maintenance is another matter and FTN is under contract to initially start the system. City Attorney Crego cautioned we have someone who has built a system and must deliver an operating system, but if we prevent them from starting the system and go with a third party and there are problems then there will be an issue of accountability. Councilman Moore requested the matter be addressed at the Public Works Committee meeting for January 3, 2008.

Councilman Hargis requested a presentation by Erick Woodruff on traffic lights regarding safety and traffic flow.

Councilman McCall questioned the plans for replacing Mr. Kelly Panneck, City Planner. Ms. Micenhamer stated it was with deep regret that they accepted Mr. Panneck's resignation, but they were looking to promote internally and expecting an answer by Friday.

Councilman Dover moved, seconded by Councilman Moore to suspend the rules and place a resolution and ordinance on the agenda. A voice vote was taken resulting in all members voting aye. The motion carried.

ORD-07:3166 AN ORDINANCE TO ESTABLISH COMPENSATION FOR ELECTED OFFICIALS OF THE CITY OF JONESBORO

Sponsors: Human Resources

Councilman Dover offered the ordinance for first reading by Title Only.

Councilman Dover moved, seconded by Councilman Moore to suspend with the second and third readings. A voice vote was taken resulting in all members voting aye. The motion carried.

A motion was made by Councilperson Darrel Dover, seconded by Councilperson Charles Frierson, that this Ordinance be Passed. The motion CARRIED by a Voice Vote.

Aye: 12 - Judy Furr;Darrel Dover;Faye McCall;Ann Williams;Charles Frierson;Cecil Province;Jim Hargis;Chris Moore;Harold Perrin;John Street;Mitch Johnson and Tim McCall

Enactment No: O-EN-056-2007

RES-07:2553 A RESOLUTION TO CONTINUE ALL VOLUNTARY BENEFITS OFFERED TO CITY EMPLOYEES CONTINUE UNTIL CANCELLED BY THE VENDOR OR THE CITY.

Sponsors: Human Resources

A motion was made by Councilperson Darrel Dover, seconded by Councilperson John Street, that this Resolution be Passed. The motion CARRIED by a Voice Vote.

Aye: 12 - Judy Furr;Darrel Dover;Faye McCall;Ann Williams;Charles Frierson;Cecil Province;Jim Hargis;Chris Moore;Harold Perrin;John Street;Mitch Johnson and Tim McCall

Enactment No: R-EN-158-2007

10. Public Comment

11. Adjournment.

A motion was made by Councilperson Jim Hargis, seconded by Councilperson Mitch Johnson, that the meeting be Adjourned. The motion CARRIED by a Voice Vote.

Aye: 12 - Judy Furr;Darrel Dover;Faye McCall;Ann Williams;Charles Frierson;Cecil Province;Jim Hargis;Chris Moore;Harold Perrin;John Street;Mitch Johnson and Tim McCall

Doug Formon, Mayor

Date: _____

Donna Jackson, City Clerk

Date: _____