



# City of Jonesboro

900 West Monroe  
Jonesboro, AR 72401

## Meeting Minutes City Council

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Tuesday, September 6, 2011

6:30 PM

Huntington Building

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### SPECIAL CALLED FINANCE COMMITTEE MEETING AT 3 P.M.

### PUBLIC WORKS COMMITTEE MEETING AT 5:30 P.M.

#### 1. CALL TO ORDER BY MAYOR PERRIN AT 6:30 P.M.

#### 2. PLEDGE OF ALLEGIANCE AND INVOCATION

#### 3. ROLL CALL

**Present** 10 - Darrel Dover; Ann Williams; Charles Frierson; John Street; Mitch Johnson; Tim McCall; Gene Vance; Chris Gibson; Rennell Woods and Mikel Fears

**Absent** 2 - Chris Moore and Charles Coleman

#### 4. SPECIAL PRESENTATIONS

**COM-11:062** Special presentation to the family of Cecil Province, Jr.

**Sponsors:** Mayor's Office

**Read**

**COM-11:067** Proclamation by the Mayor to the students of Nettleton and Valley View High Schools promoting community efforts

**Sponsors:** Mayor's Office

**Read**

#### 5. CONSENT AGENDA

#### *Approval of the Consent Agenda*

**A motion was made by Councilman John Street, seconded by Councilman Chris Gibson, to Approve the Consent Agenda. A motion was made that these files be approved by consent voice vote**

**Aye:** 10 - Darrel Dover;Ann Williams;Charles Frierson;John Street;Mitch Johnson;Tim McCall;Gene Vance;Chris Gibson;Rennell Woods and Mikel Fears

**Absent:** 2 - Chris Moore and Charles Coleman

**MIN-11:073** Minutes for the City Council meeting on August 16, 2011.

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

**This item was PASSED on the consent agenda.**

**RES-11:139** A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE AN ENGAGEMENT LETTER FOR AUDIT SERVICES OF FEDERAL AWARDS WITH FREEMAN & COMPANY, CPA

**Sponsors:** Finance

**Attachments:** [Freeman & Co](#)

**This item was PASSED on the consent agenda.**

Enactment No: R-EN-101-2011

**6. NEW BUSINESS**

*ORDINANCES ON FIRST READING*

**ORD-11:067** 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-2 TO RM-16 LUO FOR PROPERTY LOCATED AT 3813/3815 EAST HIGHLAND DRIVE AS REQUESTED BY DUYEN TRAN

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

*Councilman Street asked if there was any opposition to this rezoning. City Planner Otis Spriggs answered no.*

**A motion was made by Councilman John Street, seconded by Councilman Mitch Johnson, that this matter be Waive Second Reading . The motion PASSED by a unanimous vote**

**Aye:** 10 - Darrel Dover;Ann Williams;Charles Frierson;John Street;Mitch Johnson;Tim McCall;Gene Vance;Chris Gibson;Rennell Woods and Mikel Fears

**Absent:** 2 - Chris Moore and Charles Coleman

**7. UNFINISHED BUSINESS**

*ORDINANCES ON SECOND READING*

**ORD-11:058** AN ORDINANCE ESTABLISHING AN ADOPT A STREAM PROGRAM AND ADOPTING GUIDELINES AND POLICES FOR PUBLIC PARTICIPATION IN LITTER REMOVAL FROM PUBLIC DRAINAGEWAYS IN THE CITY OF JONESBORO

**Sponsors:** Engineering

**Attachments:** [Adopt a Stream - Agreement.pdf](#)  
[Adopt a Stream - Guidelines.pdf](#)  
[Adopt a Stream - Policy Statement.pdf](#)

**This item was Held at second reading.**

**ORD-11:059** AN ORDINANCE TO AMEND SECTION 9.2 OF THE STORMWATER DRAINAGE DESIGN MANUAL WITH REGARDS TO NONRESIDENTIAL STRUCTURES IN ZONES AE, AH, AO, AND A

**Sponsors:** Engineering

*Mayor Perrin explained this ordinance is just cleaning up some parts of the Drainage Design Manual.*

**This item was Held at second reading.**

#### ORDINANCES ON THIRD READING

**ORD-11:055** AN ORDINANCE AMENDING EXISTING AND ESTABLISHING NEW TRAFFIC REGULATIONS FOR THE CITY OF JONESBORO, ARKANSAS, AND PROVIDING FOR THE ADMINISTRATION AND ENFORCEMENT THEREOF

**Sponsors:** Police Department

*Councilman Johnson questioned whether the citizen's concerns with the ordinance have been address. Mayor Perrin answered yes. He explained the City does not have an ordinance that addresses these issues, except in the downtown area of town. He further explained the ordinance is needed for sidewalk pedestrian safety and to ensure vehicles don't block streets for emergency vehicles.*

**A motion was made by Councilman Mitch Johnson, seconded by Councilwoman Ann Williams, that this matter be Passed . The motion PASSED by a unanimous vote**

**Aye:** 10 - Darrel Dover;Ann Williams;Charles Frierson;John Street;Mitch Johnson;Tim McCall;Gene Vance;Chris Gibson;Rennell Woods and Mikel Fears

**Absent:** 2 - Chris Moore and Charles Coleman

Enactment No: O-EN-046-2011

**ORD-11:062** AN ORDINANCE TO AMEND CHAPTER 117, KNOWN AS THE ZONING ORDINANCE PROVIDING FOR CHANGES IN ZONING BOUNDARIES FROM R-1 TO C-3 FOR PROPERTY LOCATED AT 2216 SPENCE CIRCLE AS REQUESTED BY TOBY ALEXANDER

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

*Mayor Perrin asked if there was any opposition to the rezoning. Mr. Spriggs*

*explained there had been some concerns expressed by a neighbor, but the issues have been addressed. Councilman Gibson noted he spoke with the neighbor today and Mr. Spriggs is correct in that the issues have been addressed.*

**A motion was made by Councilman Gene Vance, seconded by Councilwoman Ann Williams, that this matter be Passed . The motion PASSED by a unanimous vote**

**Aye:** 10 - Darrel Dover;Ann Williams;Charles Frierson;John Street;Mitch Johnson;Tim McCall;Gene Vance;Chris Gibson;Rennell Woods and Mikel Fears

**Absent:** 2 - Chris Moore and Charles Coleman

Enactment No: O-EN-047-2011

## **8. MAYOR'S REPORTS**

*Mayor Perrin reported on the following items:*

*A letter have been sent to FTN requesting they draft a letter to send to ADEQ to end the post closure on the landfill. The City is currently under a consent administrative order regarding the debris at the landfill. The debris was not able to be cleared out by the September 1 deadline. ADEQ visited the site, but understood why the debris had not been cleared. The City is requesting an extension until December 1 to get the material off the property and May 1 to revegetate the area and burn the debris.*

*Grants Administrator Heather Clements found \$754,000 in funds dated back to 2006. They will be filing for the funds.*

*A check is in the mail concerning the Edwards property settlement. The check is for \$411,636.72, which represents the original judgment. The City will receive 30.974 acres. After a deed is received, the Building Facilities Committee will meet to discuss what to do with the property.*

*The City website got 8,000 hits in August, up from 5,000 in January.*

*The 2012 budget process is in progress. Chief Financial Officer Ben Barylske has met with all of the department heads. They hope to have the proposed budget to the Council the week before Thanksgiving.*

*Tomorrow he, along with Chief Operating Officer LM Duncan and Engineer Brent Watkins will be attending a Highway Commission meeting. They hope the commissioners will approve the construction of Hwy 49 and Parker Road to make a dedicated right-hand turn lane. They will also meet with department heads concerning funding for Valley View School District sidewalks.*

*He received a letter regarding re-locating the flashing signal on Church Street by Blessed Sacrament. They will fill out the paperwork to move the signal to Highland.*

*The intersection improvements at Hwy 1 and Highland near Church Street and Wofford have been completed. The improvements were needed due to the construction of the Harps grocery store. Total cost was \$86,032, with donations from Harps and Craighead County. There is still a problem with motorists turning left from Highland onto Church Street, but they are looking at putting candlesticks in the road to deter the vehicles from turning.*

Discussion concerning hiring within Police and Fire Departments

As requested at the last Council meeting, a report was then given by Police Chief Michael Yates regarding the hiring policies and processes of the Police Department. Chief Yates stated their hiring policy is equal opportunity and is CALEA approved. They typically hire five officers per year after a multi-step hiring process. Twice a year they advertise job openings and application packets can be found on the City's website or at the Human Resources Department at City Hall. The physical fitness is first, with a written test administered to those who pass the physical fitness test. The test is administered by the Human Resources Department and is nationally validated. After the written test, applicants go through a background check, a polygraph test and a panel interview with division commanders. Applicants are then ranked and the list is given to Chief Yates, who blind hires the officers. After a job offer is made, applicants then go through a psychology screening and a medical physical. Chief Yates then discussed the statistics concerning testing. They typically have 100 applicants per cycle. From the fall of 2009 to date, 407 individuals applied for jobs. 297 white males applied, with 129 (roughly 43%) failing to show for the test. 168 white males participated in the physical fitness test. 107 passed and 61 failed. 98 took the written test and 9 failed. Of the 407 applicants, 39 were white females. 16 (roughly 41%) did not show up for the test. 10 passed the physical fitness test, but only 6 passed the written test. Of the 407 applicants, 39 were African American males. 17 (roughly 44%) did not show up to take the test. 21 passed the physical test, but only 5 passed the written test. Of the 407 individuals, 9 were African American females. 7 did not show up at test day. Of the two remaining, 1 passed the physical test and she also passed the written test. He noted the African American female who passed both tests was hired. Of the 297 white males who applied, jobs were only offered to 2 applicants and both of those were already certified officers. Of the 6 white females, two failed the drug test, one dropped on request. Of the 5 African American males, two were disqualified for drugs, one failed the background check and one more dropped on request.

Chief Yates discussed their recruiting strategies. He noted they have taken extra steps to bring in people from other groups. He explained the internship that he has at ASU is successful in helping to hire individuals. He stated the primary things that works against them is economics in that the starting salary for a JPD officer position is lower than other jobs, such as positions with the US Marshall's.

Chief Yates cautioned that the averages in the City population cannot be matched in public safety departments due to regulations regarding the hiring process. Councilman Fears questioned recruiting minorities under Title 7 law. Chief Yates answered they can recruit minorities, but cannot change the policies in order to hire minorities. He noted during the last hiring cycle the only two people hired were an African American female and a Caucasian female. Councilman Gibson questioned how many students take part in the internship and what the demographics are of those who participate. Chief Yates stated he is not sure concerning the demographics, but the classes tend to be half male, half female, while the population is typically 70/30 with the majority being Caucasian.

Fire Chief Leonard Jadrich discussed hiring within the Fire Department. He noted they are governed under the Civil Service process for their hiring. They test once a year during the first weekend in November, with advertising starting six weeks prior to the exam. They advertise in local and state newspapers as well as on the website. They follow the same regulations concerning equal opportunity employment. The test is generated by a company in Florida and applicants are given a study guide. They typically have about 100 applicants with a 50% pass rate. After the test is given, the

physical agility test is given a week later. The written test is not graded by the City; rather, they ship the completed exams it to the company who grades it and returns the results to the City within a few days. The physical test is nationally approved and is very job-specific. A list is then credited according to highest and lowest scores. They are allowed to look at the top three scores. A committee is formed to look at the top three individuals. Backgrounds checks are then administered and recommendations are made as to who to hire. Whoever is recommended then undergoes a polygraph test and a medical physical exam. Chief Jadrich noted they have not hired anyone this year and during the last cycle only one person was hired. He explained in the past ten years, no females or Hispanics have applied and 3 African Americans have applied with one being hired.

## **9. CITY COUNCIL REPORTS**

*Councilman Street motioned, seconded by Councilman Dover, to suspend the rules and add ORD-11:071 to the agenda. All voted aye.*

**ORD-11:071** AN ORDINANCE TO WAIVE COMPETITIVE BIDDING AND AUTHORIZE PURCHASE OF A 2008 GRADALL XL3300 FROM EQUIPMENT CONNECTION.

**Sponsors:** Streets

*Councilman Dover offered the ordinance for first reading by title only.*

*Councilman Street motioned, seconded by Councilman Dover, to suspend the rules and waive second and third readings. All voted aye.*

*After adoption of the ordinance, Councilman Johnson motioned, seconded by Councilman Vance, to adopt the emergency clause. All voted aye.*

**A motion was made by Councilman John Street, seconded by Councilman Mitch Johnson, that this matter be Passed . The motion PASSED by a unanimous vote**

**Aye:** 10 - Darrel Dover;Ann Williams;Charles Frierson;John Street;Mitch Johnson;Tim McCall;Gene Vance;Chris Gibson;Rennell Woods and Mikel Fears

**Absent:** 2 - Chris Moore and Charles Coleman

Enactment No: O-EN-048-2011

*Councilman Johnson thanked the Mayor's Office and the staff for responding to a recent email concerning a collapsed sewer that had resulted in a sink hole on Broadmoor.*

*Councilman McCall thanked the Mayor's Office for his efforts in helping a resident on Aggie whose house was damaged. He noted the homeowner was very appreciative.*

*Councilman Fears thanked the individuals involved in using the box at the recent football game at ASU. He stated it was a good opportunity for everyone to talk with elected officials from the state.*

*Councilman Vance noted the second Council meeting in October will fall on an ASU football game night. He recommended at the next meeting the Council consider moving the October 18th Council meeting to October 20th.*

*Councilman Frierson motioned, seconded by Councilman Dover, to suspend the rules and place RES-11:141 on the agenda. All voted aye.*

**RES-11:141** A RESOLUTION OF THE CITY OF JONESBORO, ARKANSAS TO ACCEPT THE LOW BID AND ENTER INTO A CONTRACT WITH PILGREEN ELECTRIC INC. FOR THE JOE MACK CAMPBELL PARK REMOTE CONTROL ENERGY EFFICIENT LIGHTING PROJECT - BID. 2011-17

**Sponsors:** Parks & Recreation

**Attachments:** [Pilgreen Electric Contract](#)

**A motion was made by Councilman Charles Frierson, seconded by Councilwoman Ann Williams, that this matter be Passed . The motion PASSED by a unanimous vote**

**Aye:** 10 - Darrel Dover;Ann Williams;Charles Frierson;John Street;Mitch Johnson;Tim McCall;Gene Vance;Chris Gibson;Rennell Woods and Mikel Fears

**Absent:** 2 - Chris Moore and Charles Coleman

Enactment No: R-EN-102-2011

*Councilman Frierson motioned, seconded by Councilman Vance, to suspend the rules and place RES-11:148 on the agenda. All voted aye.*

**RES-11:148** A RESOLUTION OF THE CITY OF JONESBORO, ARKANSAS TO ACCEPT THE SOLE SOURCE BID AND ENTER INTO A CONTRACT WITH VERMONT SYSTEMS FOR THE JOE MACK CAMPBELL PARK REMOTE CONTROL ENERGY EFFICIENT LIGHTING PROJECT

**Sponsors:** Parks & Recreation

**Attachments:** [Vermont Systems Interface Contract](#)

**A motion was made by Councilman Chris Gibson, seconded by Councilwoman Ann Williams, that this matter be Passed . The motion PASSED by a unanimous vote**

**Aye:** 10 - Darrel Dover;Ann Williams;Charles Frierson;John Street;Mitch Johnson;Tim McCall;Gene Vance;Chris Gibson;Rennell Woods and Mikel Fears

**Absent:** 2 - Chris Moore and Charles Coleman

Enactment No: R-EN-103-2011

## **10. PUBLIC COMMENTS**

**COM-11:068** Statement as given by John Gibson and Dr. George Grant to the City Council at the meeting on September 6, 2011.

**Attachments:** [Statement](#)

*Dr. George Grant, 2101 Greenleaf Trail, provided the Council with a statement regarding the hiring of minorities in the public safety departments. He noted they are not responding to a complaint from a citizen; rather, their concern stems from not seeing more minorities in the public safety departments. He added they are not asking for the departments to hire anyone who isn't qualified for the positions. He stated they would like to assist the City in identifying qualified candidates and encourage those individuals to apply for jobs. He stressed for people to apply they must know about the testing, the requirements of the job, know that they have a real possibility of being hired and know there are promotional possibilities. Dr. Grant stated they do not expect the City to have 18% minorities in the departments if there is less than 2% now, but the ratio could be better than 2% or 3%.*

*Mr. John Gibson, a resident of Brookland, noted affirmative action typically does not require preferential hiring and they are not advocating that practice. He added they agreement there is a recruitment and application issue and that is reflected in the raw applicant numbers.*

**This item was Read.**

**11. ADJOURNMENT**

**A motion was made by Councilman Mitch Johnson, seconded by Councilman Gene Vance, that this meeting be Adjourned. The motion CARRIED by a Voice Vote.**

**Aye:** 10 - Darrel Dover;Ann Williams;Charles Frierson;John Street;Mitch Johnson;Tim McCall;Gene Vance;Chris Gibson;Rennell Woods and Mikel Fears

**Absent:** 2 - Chris Moore and Charles Coleman

\_\_\_\_\_ **Date:** \_\_\_\_\_  
**Harold Perrin, Mayor**

**Attest:**

\_\_\_\_\_ **Date:** \_\_\_\_\_  
**Donna Jackson, City Clerk**