



# City of Jonesboro

900 West Monroe  
Jonesboro, AR 72401

## Meeting Minutes City Council

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Tuesday, December 15, 2009

6:30 PM

Huntington Building

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### PUBLIC SAFETY COMMITTEE MEETING - 6:15 P.M. - Huntington Building, 900 W. Monroe.

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

#### 2. PLEDGE OF ALLEGIANCE AND INVOCATION

#### 3. ROLL CALL BY CITY CLERK DONNA JACKSON

**Present** 12 - Darrel Dover; Ann Williams; Charles Frierson; Jim Hargis; Chris Moore; John Street; Mitch Johnson; Tim McCall; Gene Vance; Chris Gibson; Rennell Woods and Mikel Fears

#### 4. SPECIAL PRESENTATIONS

**COM-09:157** Presentation of an overview of the Business Continuation Disaster Recovery Plan as presented by DD&F

**Attachments:** [Business Continuation Disaster Recovery Plan](#)

*A special presentation was presented by Ms. Rachel Runnel with DD&F, which is a financial consulting firm out of Little Rock, Arkansas. She gave an overview of a Business Continuation Disaster Recovery Plan.*

**Read**

#### 5. CONSENT AGENDA

##### *Approval of the Consent Agenda*

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

**Aye:** 12 - Darrel Dover; Ann Williams; Charles Frierson; Jim Hargis; Chris Moore; John Street; Mitch Johnson; Tim McCall; Gene Vance; Chris Gibson; Rennell Woods and Mikel Fears

**MIN-09:127** Minutes for the City Council meeting on December 1, 2009.

**Attachments:** [Minutes 12/1/09](#)

**A motion was made that this Minutes be Passed . The motion passed BY**

**VOICE VOTE**

**RES-09:193** A RESOLUTION TO THE CITY OF JONESBORO, ARKANSAS AUTHORIZING THE MAYOR AND CITY CLERK TO ACCEPT RIGHT-OF-WAY FOR THE PURPOSE OF ROAD CONSTRUCTION

**Sponsors:** Engineering

**Attachments:** [RWT - Property](#)  
[Felts - Property](#)  
[P & J Developement - Property](#)  
[Tyrer - Property](#)

**A motion was made that this Resolution be Passed . The motion passed by voice vote on the consent agenda.**

Enactment No: R-EN-143-2009

**RES-09:195** A RESOLUTION TO THE CITY OF JONESBORO, ARKANSAS TO ACCEPT THE LOW BID AND ENTER INTO A CONTRACT WITH CAMERON CONSTRUCTION COMPANY, INC. FOR THE CDBG-R NORTH JONESBORO SIDEWALK IMPROVEMENTS - JOB NO. 2009:44

**Sponsors:** Community Development

**Attachments:** [Contract Documents](#)  
[Bid Tab](#)  
[Award Bid - Certification](#)  
[North Jonesboro sidewalk map](#)

**A motion was made that this Resolution be Passed . The motion passed by voice vote on the consent agenda.**

Enactment No: R-EN-144-2009

**RES-09:200** A RESOLUTION TO AMEND THE NON-UNIFORM PENSION PLAN TO COMPLY WITH THE PENSION PROTECTION ACT OF 2006

**Sponsors:** Finance and Mayor's Office

**Attachments:** [12082009 Pension Plan Amendments](#)

**A motion was made that this Resolution be Passed . The motion passed by voice vote on the consent agenda.**

Enactment No: R-EN-145-2009

**RES-09:202** A RESOLUTION TO ADOPT A BUSINESS CONTINUITY PLAN

**Sponsors:** Finance and Mayor's Office

**A motion was made that this Resolution be Passed . The motion passed by voice vote on the consent agenda.**

Enactment No: R-EN-146-2009

**RES-09:203** A RESOLUTION FOR THE CITY OF JONESBORO TO ENTER INTO A CONTRACT WITH SPRINGBROOK SOFTWARE, INC. FOR THE PURCHASE OF DISASTER RECOVERY SERVICES.

**Sponsors:** Information Systems and Mayor's Office

**Attachments:** [Disaster Recovery Services Contract - City of Jonesboro 3](#)  
[Disaster Recovery Services - Order Form - Jonesboro 4](#)

**A motion was made that this Resolution be Passed . The motion passed by voice vote on the consent agenda.**

Enactment No: R-EN-147-2009

**RES-09:204** A RESOLUTION FOR THE CITY OF JONESBORO TO ENTER INTO A CONTRACT WITH SPRINGBROOK SOFTWARE, INC. FOR THE PURCHASE OF V.7 NET MIGRATION

**Sponsors:** Information Systems and Mayor's Office

**Attachments:** [City of Jonesboro AR- Springbrook NET Migration Proposal with 0% Financi](#)

**A motion was made that this Resolution be Passed . The motion passed by voice vote on the consent agenda.**

Enactment No: R-EN-148-2009

## **6. NEW BUSINESS**

### *ORDINANCES ON FIRST READING*

**ORD-09:112** AN ORDINANCE TO AMEND TITLE 14, KNOWN AS THE ZONING ORDINANCE PROVIDING FOR CHANGES IN ZONING BOUNDARIES; FROM RESIDENTIAL (R-1) TO COMMERCIAL (C-3) LIMITED USE OVERLAY FOR PROPERTY LOCATED AT 1840/1846 HIGHLAND DRIVE AS REQUESTED BY THE WINDLE FAMILY TRUST-AGENT:CIVILOGIC, INC.

**Attachments:** [Windle Plat](#)  
[Staff Summary RZ09-22 Windle Family Trust Council](#)

*Councilman Chris Moore offered this ordinance by title only. He requested it be held at one reading.*

**This Ordinance was Held at one reading.**

**ORD-09:105** AN ORDINANCE AMENDING THE JONESBORO CODE OF ORDINANCES, AND ADOPTING THE CITY OF JONESBORO MASTER STREET PLAN; PROVIDING FOR AMENDMENTS OF CHAPTERS 101, ARTICLE III, AND CHAPTER 113, ARTICLES III & IV, OF SUCH TECHNICAL CODE, AND ADOPTING SUCH AMENDMENTS AND MASTER STREET PLAN BY REFERENCE

**Sponsors:** Engineering and Planning

**Attachments:** [Chapter 101, Article III](#)  
[Chapter 113, Articles III & IV](#)  
[Master Street Plan Code Amendments Redmarks](#)  
[ACCEPTABLE](#)  
[PREFERRED](#)  
[msp\\_map\\_DEC\\_1](#)  
[MPAC Record of Proceedings Master Street Plan 12\\_08\\_09](#)

*Councilman John Street offered this ordinance by title only.*

*Councilman John Street requested the ordinance be read one time for three consecutive meetings to allow for public input.*

*Ms. Pam Alexander, resident of 4505 Summit Ridge stated she and others had concerns about the Master Street Plan and stated they would present those concerns in writing to the Mayor and city council members in order to have a discussion at the next city council meeting.*

**This Ordinance was Held at one reading.**

**ORD-09:104**

AN ORDINANCE TO AMEND THE 2009 ANNUAL BUDGET AND THE CITY PAY PLAN FOR THE CITY OF JONESBORO TO ADD A POSITION OF COMPLIANCE OFFICER TO THE GENERAL ADMINISTRATION DEPARTMENT

**Sponsors:** Human Resources and Mayor's Office

**Attachments:** [Compliance Officer](#)

*Councilwoman Ann Williams offered this ordinance by title only.*

*Councilwoman Williams moved, seconded by Councilman Chris Moore to suspend the rules and waive second and third reading. A voice vote was taken resulting in all members voting aye. The motion carried.*

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

**A motion was made by Councilwoman Ann Williams, seconded by Councilman Darrel Dover, that this matter be Passed . The motion PASSED by an unanimous vote.**

**Aye:** 12 - Darrel Dover;Ann Williams;Charles Frierson;Jim Hargis;Chris Moore;John Street;Mitch Johnson;Tim McCall;Gene Vance;Chris Gibson;Rennell Woods and Mikel Fears

Enactment No: O-EN-077-2009

**ORD-09:107**

AN ORDINANCE TO APPROPRIATE FUNDS TO PURCHASE THE LICENSES FOR PUBLIC PLAYING AND PERFORMANCE OF MUSIC, AUTHORIZING THE EXECUTION OF THE CONTRACTS, AND DECLARING AN EMERGENCY

**Sponsors:** Finance

**Attachments:** [BMI Contract For Music Licensing](#)  
[SESAC Performance License for Municipalities](#)  
[ASCAP Licensing Contract](#)  
[Better Business Bureau Recommendation on Music in the Marketplace](#)

*Councilman Chris Gibson offered this ordinance by title only.*

*City Attorney Crego explained royalties must be paid on copyright music. It was explained the City could be at risk and with the growth of Jonesboro it is necessary to pass this ordinance to avoid liability.*

*Councilwoman Ann Williams moved, seconded by Councilman Tim McCall to suspend the rules and waive second and third readings. A voice vote was taken resulting in all members voting aye. The motion carried.*

*Councilwoman Ann Williams moved, seconded by Councilman Chris Gibson for the adoption of the emergency clause. A roll call vote was taken resulting in all members voting aye. The motion carried.*

**A motion was made by Councilwoman Ann Williams, seconded by Councilman Tim McCall, that this matter be Passed. The motion PASSED by an unanimous vote.**

**Aye:** 12 - Darrel Dover;Ann Williams;Charles Frierson;Jim Hargis;Chris Moore;John Street;Mitch Johnson;Tim McCall;Gene Vance;Chris Gibson;Rennell Woods and Mikel Fears

Enactment No: O-EN-078-2009

**ORD-09:108**

AN ORDINANCE TO APPROPRIATE MONIES RELATED TO THE CANCELLATION OF THE HIGHWAY 463 & 351 SIGNALIZATION PROJECT

**Sponsors:** Finance and Mayor's Office

**Attachments:** [11242009 Letter from AHTD](#)

*Councilwoman Ann Williams offered this ordinance by title only.*

*Councilwoman Ann Williams moved, seconded by Councilman Chris Moore to suspend the rules and waive second and third readings. A voice vote was taken resulting in all members voting aye. The motion carried.*

*Councilman Darrel Dover moved, seconded by Councilman Gene Vance to amend the ordinance to include the emergency clause. A voice vote was taken resulting in all members voting aye. The motion carried.*

*Councilman Chris Moore moved, seconded by Councilman John Street for the adoption of the emergency clause. A roll call vote was taken resulting in all members voting aye. The motion carried.*

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

**Aye:** 12 - Darrel Dover;Ann Williams;Charles Frierson;Jim Hargis;Chris Moore;John Street;Mitch Johnson;Tim McCall;Gene Vance;Chris Gibson;Rennell Woods and Mikel Fears

Enactment No: O-EN-079-2009

**ORD-09:110** AN ORDINANCE AUTHORIZING THE CITY OF JONESBORO TO AMEND THE 2009 BUDGET APPROPRIATING ADDITIONAL MONEY TO JETS FOR REIMBURSEMENT OF GRANT MONEY TO THE U.S. DEPARTMENT OF TRANSPORTATION AND FOR OTHER PURPOSES

**Sponsors:** Finance

**Attachments:** [2008 Grants Audit - FINAL DRAFT](#)

*Councilwoman Ann Williams offered this ordinance by title only.*

*Councilwoman Ann Williams moved, seconded by Councilman Charles Frierson to suspend the rules and waive second and third readings.*

*Councilman Chris Moore stated when the JETS Program was approved it was with the understanding the City of Jonesboro would appropriate \$180,000 per year for three years. He further stated the actual cost exceeded \$350,000 per year, which is between \$900,000 and \$932,000 over budget. Councilman Moore recommended forming a committee for the purpose of deciding how to proceed with the JETS Program. Councilman Mikel Fears suggested helping JETS find the funding needed to continue. Councilman Chris Moore responded saying he was unsure of the solution, but did know in three years time the City of Jonesboro has spent nearly a million dollars more than appropriated, and yet the transit system has steadily gone down hill.*

*Councilman Frierson called for a point of order. Councilman Moore yielded the floor.*

*A voice vote was taken resulting in all members voting aye. The motion carried.*

*Councilwoman Ann Williams moved, seconded by Councilman Chris Gibson for the adoption of the emergency clause. A roll call vote was taken resulting in all members voting aye. The motion carried.*

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

**Aye:** 12 - Darrel Dover;Ann Williams;Charles Frierson;Jim Hargis;Chris Moore;John Street;Mitch Johnson;Tim McCall;Gene Vance;Chris Gibson;Rennell Woods and Mikel Fears

Enactment No: O-EN-080-2009

**ORD-09:111** AN ORDINANCE AUTHORIZING THE CITY OF JONESBORO TO AMEND THE 2009 BUDGET APPROPRIATING ADDITIONAL MONEY TO JETS IN LIEU OF REIMBURSEMENT BY JETS TO THE GENERAL FUND AND FOR OTHER PURPOSES.

**Sponsors:** Finance and Mayor's Office

**Attachments:** [Nov-09 Analysis of Actual JETS Cost](#)

*Councilwoman Ann Williams offered this ordinance by title only.*

*Councilman Chris Moore reiterated his comments from the previous ordinance. Councilman Frierson questioned the \$900,000 figure as previously stated by Councilman Moore. Councilman Moore provided Councilman Frierson with a handout that was given to council members at the previous city council meeting.*

Councilman Gene Vance agreed with Councilman Moore, stating they needed to consider how they will continue the service if that is what the public wants. Councilman Vance stated it will require additional funding either from industry or taxes. He commended the Administration for providing a true financial picture of the JETS program, and explained the quality of service has not decreased, but the service has gone down in quantity. Councilman Moore responded saying given the economy, the City of Jonesboro does not need to spend a million dollars on a program that is withering on the vine.

Councilwoman Ann Williams moved, seconded by Councilman Chris Gibson to suspend the rules and waive second and third readings. A voice vote was taken resulting in all members voting aye. The motion carried.

Councilwoman Ann Williams moved, seconded by Councilman Mitch Johnson for the adoption of the emergency clause. A roll call vote was taken resulting in all members voting aye. The motion carried.

**A motion was made by Councilman Gene Vance, seconded by Councilman Chris Moore, that this matter be Passed . The motion PASSED by an unanimous vote.**

**Aye:** 12 - Darrel Dover;Ann Williams;Charles Frierson;Jim Hargis;Chris Moore;John Street;Mitch Johnson;Tim McCall;Gene Vance;Chris Gibson;Rennell Woods and Mikel Fears

Enactment No: O-EN-081-2009

## **7. UNFINISHED BUSINESS**

### **ORDINANCES ON SECOND READING**

**ORD-09:083**

AN ORDINANCE TO MODIFY ARTICLE 1, SECTION 101-1 OF THE JONESBORO CODE OF ORDINANCES AND ADOPT THE FUTURE LAND USE PLAN FOR THE CITY OF JONESBORO, ARKANSAS BY REFERENCE AS RECOMMENDED BY THE METROPOLITAN AREA PLANNING COMMISSION FOR THE PURPOSE OF GUIDING THE GROWTH AND DEVELOPMENT OF THE CITY AS PART OF THE COMPREHENSIVE PLANNING PROCESS

**Sponsors:** Planning

**Attachments:** [Land Use Policy Narrative Final October 22 2009](#)  
[Proposed Land Use Map & Appendix Maps](#)  
[MAPC Record of Proceedings](#)  
[Land Use Opposition - Easley](#)  
[2009 land use map FINAL](#)

Mr. Otis Spriggs, City Planner provided his unbiased view of the proposed Land Use Plan as requested by Councilman Gene Vance at the last city council meeting. Mr. Spriggs stated it was not a perfect plan, but a good one. He explained it had been a three year comprehensive study. Mr. Spriggs explained under his Code of Ethics as a City Planner, he must take a neutral position in the planning process which he has done. He further stated the committee used their expertise in developing the plan, and even though they may have owned land, they did not have a personal interest in the decisions made. He stated the number one obligation was to the public which he and the committee members adhered to. Mr. Spriggs called the plan flexible, a living document, and a foundational plan that will be further developed in the

comprehensive plan process. Mr. Spriggs stated citizen participation was allowed with all meetings being open to the public.

Mr. Spriggs provided a table of categories with strategies and requested it be inserted into the Land Use Plan stating it will allow users of the Land Use Plan to determine the rationale used in making planning decisions. He encouraged the City Council to accept minor changes to the final map which included removing a single family dwelling in the middle of a retail district.

Mayor Perrin explained as changes are made the plan will automatically be updated and will be kept current unlike previous plans.

**A motion was made by Councilman John Street, seconded by Councilman Tim McCall, that this matter be Held at second reading . The motion PASSED by an unanimous vote**

**Aye:** 12 - Darrel Dover; Ann Williams; Charles Frierson; Jim Hargis; Chris Moore; John Street; Mitch Johnson; Tim McCall; Gene Vance; Chris Gibson; Rennell Woods and Mikel Fears

**COM-09:158** Table of Categories with Strategies as provided by City Planner, Otis Spriggs.

**This Other Communications was Read**

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

Mayor Perrin provided council members with a copy of the Freeman & Company, Inc. Independent Auditor's Report on Federal Grants. It is attached as COM-09:159 below.

Mayor Perrin stated Karen Bassett, with ADEQ reported the Solid Waste Management Act must be changed before ADEQ can modify its regulations to allow yard waste incinerator ash to be co-mingled with other Class I waste. He explained it would be 2011 before the Legislature could address the issue. He explained they were waiting on a consent order and would provide this information to the council once it was received.

Mayor Perrin stated he and Finance Chair, Ann Williams would have an exit conference with Legislative Audit tomorrow at 1:00 p.m.

Mayor Perrin announced there would be an open house from 11:00 a.m. to 2:00 p.m. Thursday, and invited council members and the public to attend.

**COM-09:159** Freeman and Company Federal Grant Audit - 12/31/2008.

**Attachments:** [Freeman and Company Federal Grants Audit](#)

**Read**

## **9. CITY COUNCIL REPORTS**

**RES-09:201** A RESOLUTION ADOPTING THE CITY OF JONESBORO, ARKANSAS, SALARY SCHEDULE AND ADMINISTRATION POLICY

**Sponsors:** Finance and Human Resources

**Attachments:**     [Salary Administration Plan \(2\)](#)

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

**Aye:** 12 - Darrel Dover; Ann Williams; Charles Frierson; Jim Hargis; Chris Moore; John Street; Mitch Johnson; Tim McCall; Gene Vance; Chris Gibson; Rennell Woods and Mikel Fears

Enactment No: R-EN-149-2009

**ORD-09:109**

AN ORDINANCE TO APPROPRIATE MONIES NECESSARY FOR IMPLEMENTATION OF THE SALARY AND ADMINISTRATION POLICY

**Sponsors:**     Finance and Human Resources

**Attachments:**     [Salary Plan Implementation Costs](#)

*Councilman Darrel Dover offered this ordinance by title only.*

*Councilman John Street moved, seconded by Councilman Chris Moore to suspend the rules and waive second and third readings. A voice vote was taken resulting in all members voting aye. The motion carried.*

*Councilman Charles Frierson moved, seconded by Councilman Darrel Dover to amend the ordinance to include the emergency clause. A voice vote was taken resulting in all members voting aye. The motion carried.*

*Councilman John Street moved, seconded by Councilman Gene Vance for the adoption of the emergency clause. A roll call vote was taken resulting in all members voting aye. The motion carried.*

**A motion was made by Councilwoman Ann Williams, seconded by Councilman John Street, that this Ordinance be Passed. The motion CARRIED by a Voice Vote.**

**Aye:** 12 - Darrel Dover; Ann Williams; Charles Frierson; Jim Hargis; Chris Moore; John Street; Mitch Johnson; Tim McCall; Gene Vance; Chris Gibson; Rennell Woods and Mikel Fears

Enactment No: O-EN-082-2009

**ORD-09:113**

AN ORDINANCE PROVIDING FOR THE ADOPTION OF A BUDGET FOR THE CITY OF JONESBORO, ARKANSAS, FOR THE TWELVE (12) MONTHS BEGINNING JANUARY 1, 2010, AND ENDING DECEMBER 31, 2010, APPROPRIATING MONEY FOR EACH ITEM OF EXPENDITURE THEREIN PROVIDED FOR, AND FOR OTHER PURPOSES.

**Sponsors:**     Mayor's Office and Finance

**Attachments:**     [2010 Budget revised](#)

*Councilwoman Ann Williams offered this ordinance by title only.*

*Councilwoman Ann Williams moved, seconded by Councilman Charles Frierson to suspend the rules and waive second and third readings. A voice vote was taken resulting in all members voting aye. The motion carried.*

*Councilman Mitch Johnson moved, seconded by Councilman Gene Vance for the adoption of the emergency clause. A roll call vote was taken resulting in all members voting aye. The motion carried.*

**A motion was made by Councilwoman Ann Williams, seconded by Councilman Darrel Dover, that this Ordinance be Passed. The motion CARRIED by a Voice Vote.**

**Aye:** 12 - Darrel Dover;Ann Williams;Charles Frierson;Jim Hargis;Chris Moore;John Street;Mitch Johnson;Tim McCall;Gene Vance;Chris Gibson;Rennell Woods and Mikel Fears

Enactment No: O-EN-083-2009

**ORD-09:115**

AN ORDINANCE OF THE CITY OF JONESBORO TO APPROVE A TRANSFER OF FUNDS FROM THE GENERAL FUND TO THE JETS FUND FOR THE PURPOSE OF ENSURING A POSITIVE CASH FLOW FOR THE REMAINDER OF THE 2009 CALENDAR YEAR.

**Sponsors:** Mayor's Office and Finance

**Attachments:** [12142009 JETS Projected Spending](#)

*Councilwoman Ann Williams offered this ordinance by title only.*

*Councilwoman Ann Williams moved, seconded by Councilman Chris Gibson to suspend the rules and waive second and third readings. A voice vote was taken resulting in all members voting aye. The motion carried.*

*Councilman Mitch Johnson moved, seconded by Councilwoman Ann Williams for the adoption of the emergency clause. A roll call vote was taken resulting in all members voting aye. The motion carried.*

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

**Aye:** 12 - Darrel Dover;Ann Williams;Charles Frierson;Jim Hargis;Chris Moore;John Street;Mitch Johnson;Tim McCall;Gene Vance;Chris Gibson;Rennell Woods and Mikel Fears

Enactment No: O-EN-084-2009

**RES-09:196**

RESOLUTION TO PROVIDE NOTICE OF INTENT TO RENEGOTIATE THE AGREEMENT WITH CRAIGHEAD COUNTY FOR THE OPERATION OF THE E-911 EMERGENCY AND DISPATCH CENTER

**Sponsors:** E911

*Councilman Chris Moore moved, seconded by Councilman John Street to suspend the rules and place this resolution on the agenda. The motion carried.*

**A motion was made by Councilman Chris Moore, seconded by Councilman John Street, that this Resolution be Passed. The motion CARRIED by a Voice Vote.**

**Aye:** 12 - Darrel Dover;Ann Williams;Charles Frierson;Jim Hargis;Chris Moore;John Street;Mitch Johnson;Tim McCall;Gene Vance;Chris Gibson;Rennell Woods and Mikel Fears

Enactment No: R-EN-150-2009

**10. PUBLIC COMMENTS**

**11. ADJOURNMENT**

A motion was made by Councilman Chris Moore, seconded by Councilman Gene Vance, that this be Adjourned. The motion CARRIED by a Voice Vote.

**Aye:** 12 - Darrel Dover; Ann Williams; Charles Frierson; Jim Hargis; Chris Moore; John Street; Mitch Johnson; Tim McCall; Gene Vance; Chris Gibson; Rennell Woods and Mikel Fears

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

**ATTEST:**

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