



City of Jonesboro

Municipal Center
300 S. Church Street
Jonesboro, AR 72401

Meeting Minutes City Council

Tuesday, January 17, 2023

5:30 PM

Municipal Center, 300 S. Church

SPECIAL CALLED PUBLIC SERVICES COMMITTEE MEETING AT 4:30 P.M.

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

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

2. PLEDGE OF ALLEGIANCE AND INVOCATION

3. ROLL CALL BY CITY CLERK APRIL LEGGETT

Present 11 - Brian Emison;Chris Gibson;David McClain;Joe Hafner;Mitch Johnson;Anthony Coleman;Janice Porter;John Street;Charles Coleman;LJ Bryant and Ann Williams

Absent 1 - Chris Moore

4. SPECIAL PRESENTATIONS

Mayor Harold Copenhaver said, Council before you is Jenna Adams. She is legal counsel with Arkansas Municipal League, and she asked to speak with Council tonight on a subject, and she will explain it all to you in detail but I think it is very important that we be forthcoming with all of our actions and this is what we do and continue to do. Ms. Adams is going to show you a little about a case that the city and her recommendation of moving forward so she wanted to present that to you this evening.

Legal Counsel for Arkansas Municipal League, Jenna Adams approached the podium and said, thank you Mayor. I appreciate you having me here tonight so I can update the Council on one of the lawsuits that I'm handling for the city. The lawsuit is Arthur Bryant verses Officer Heath Loggains. I realize that some of you may not be familiar with the facts of the case, so I will kind of just go through that a little bit. Arthur Bryant, the plaintiff, has sued Office Heath Loggains regarding an incident that happened on May 29, 2020. Officer Loggains and his canine, Cash, were assisting other Jonesboro police officers in pursuing a suspect out at the Links apartment complex. It was a foot pursuit; they had pulled him over on a traffic stop and he had fled on foot around the apartment complex, so Officer Loggains and his canine, Cash, were running around one of the buildings and as they turned the corner, Mr. Bryant, who is not the suspect that they were pursuing, he was standing on the sidewalk underneath a lamp post smoking a cigarette, and when they first turned the corner Officer Loggains initially thought this is our suspect but he realizes his clothing doesn't match who we were chasing. About that time Cash lunges towards Mr. Bryant and ends up biting him and after the fact, Officer Loggains realizes this is not our suspect

and very quickly pulls the dog off of him. Mr. Bryant alleges that the dog was biting him for approximately ten seconds. The cause of action that he has brought in this lawsuit is just an excessive force claim against Officer Loggains in his individual capacity. That is the only claim.

So far in this case, they filed a complaint then we filed an answer. We've done initial disclosures which is just disclosing witnesses and documents that we have, and then they have responded to some basic written discoveries. It's very early on in the stages in this case. We've not done depositions yet, we've not filed motions, it is set for trial in June, the week of June 13, 2023. So from this point forward we are going to be doing quite a bit of work. Plaintiff's counsel has reached out and has made an initial offer of settlement. I'm here to relay that offer to you and then also discuss what my recommendations would be, because the city has to decide whether to reject that offer, accept that offer or make a counter offer.

So Plaintiff's initial offer was for \$150,000. I will tell you my recommendation is not to accept that offer. Obviously it's an initial one, it's a little high in my opinion. The information that I have about plaintiff's medical bills, so that night after he was bit by the dog, officers called an ambulance. Mr. Bryant refused medical treatment on the scene, didn't want to be taken to the hospital, didn't want to be seen by the EMS workers. This was pretty late like one or two o'clock in the morning. That very next morning he actually went on his own accord to the ER and then about a week later we went to the ER for a follow up. He has two ER visits, that's the only treatment he's received, and his medical bills total around \$1,900. He alleges that he has scarring from the dog bites, that he has a fear of dogs and then just general pain and suffering for the incident.

What I know about the facts of this case and the law, I believe that this is probably a good case, that this case should be settled, if we can. My recommendation would be for the city to make a counter offer, but I would recommend doing something that's called an offer of judgement. So an offer of judgement is a tool that we can use to cut off plaintiff's attorney fees and costs. I should start by saying that when this case was submitted to the League we offered what's called 90/10 coverage, so in the event that we reach a settlement or if we were to go to trial and a judgement is entered against Officer Loggains the Municipal League pays 90% of that judgement or settlement and the city is on the hook for only 10%. With that being said, my recommendation for the offer of judgement would be \$25,000 plus reasonable attorney fees, so let me break that down and explain what that means.

So \$25,000, the city would only be on the hook for \$2,500 plus reasonable attorney fees. Right now we don't know what the other attorney's attorney fees are at this time. Like I said, it's really early on in the case which is why I think now is a good time to make this offer of judgement. Their attorney fees are probably fairly low. I can say they are Dallas attorneys but they're going to be held to the standards here in Arkansas. It may be that we're able to reach an agreement on reasonable attorney fees ourselves. It may be that we have to go in front of a judge, but I will tell you that is the only unknown amount that we don't know right now so that I can't give you a number.

As far as the \$25,000 for the offer of judgement. The way that an offer of judgement works is if plaintiff does not accept this \$25,000 offer of judgement and we were not able to settle the case and this case ends up going to trial, at trial the plaintiff has to get more than \$25,000 in order to recover all of his attorney fees and cost. If he gets \$24,999, he didn't beat that \$25,000 offer, he only gets the attorney fees up to the date

that the judgement was made. So if I make the offer of judgement today and they don't beat the \$25,000 at trial they only get the attorney fees up to today. So if it's \$10,000 today, that's all they're going to get even if they spent \$50,000 getting a trial. Again, it's a tool we can use to kind of cut them off as far as attorney fees. The way I came to the \$25,000, obviously I just said his medicals are only about \$1,900, but you never know what a jury is going to do. You may get a jury that's going to award him \$100,000, you may get a jury that's going to award him \$1,900. You just never know, so you've got to come up with a number that you think that you can beat at trial and I felt pretty confident that \$25,000 may be the magic number. You guys may feel differently. I'm open to suggestions on what you guys think might be a number that the jury might land on, especially since some of you may be hearing this for the first time.

That's if the plaintiff doesn't accept the offer of judgement. If the plaintiff accepts the offer of judgement. This is different as in this is not your normal settlement. It would be like an emission of liability and it would be a judgement against Officer Loggains. I have spoken with him and he understands that and he was fine with me coming here and discussing this with you guys.

I'm obviously open to any questions that you guys have with the limited understanding that we are in a public meeting and this is an active case that I'm litigating there are some things that I cannot discuss, but if you have questions about the offer of judgement, within reason, I'm happy to answer any questions.

Mayor Harold Copenhaver said, Ms. Adams if you would, explain the process as well for being here this evening. You would need Councils vote of approval to move forward with the request of \$25,000. Jenna said, yes. They have made the \$150,000 offer so I guess we would probably need a vote to reject that offer, and then if we wanted to make a counter offer we would need a vote on what that counter offer would be. Like I said, my recommendation, I think, would be an offer of judgement in this case to cut off their attorney fees. It's a good litigation strategy and I think it's something we can start with. They may reject it and then they may make another counter offer for \$75,000. In that case we can continue to negotiate if you want to, but the offer of judgement is good all the way through trial. So once we've made that offer of judgement they have to beat that number at trial in order to get their full amount of attorney fees. Again, it's a really good tool.

Councilmember John Street motioned, seconded by Councilmember Dr. Charles Coleman, to reject their \$150,000 offer for settlement. All voted aye

Councilmember David McClain asked, how do you come up with settlement offer amounts? Jenna said, they're all over the board really. It just depends on the area. We tried a police case here in Jonesboro in June the year Covid hit and we won. It was a little bit different issue so we didn't have to deal with damages. I tried a case up in Northwest Arkansas, again different climate, you've got a different jury pool so it's really hard to compare, but their plaintiff also did not have any tangible damages at all but then the jury ended up awarding \$7,000 in punitives. He got a dollar in compensatory for not having any actual damages and then \$7,000 in punitives. We had the opportunity to speak with jury members after the fact and we were told that there were people on the jury that wanted to give them \$100,000. That's where you learn it's going to be all across the board. It's really hard to predict. That's just really the best advice I have. We typically know what these types of use of force cases will settle for and that's why with just that kind of experience and talking in office we landed on \$25,000.

Councilmember David McClain asked where the jury will be pulled from. Jenna said, so this one is in federal court, it will draw from Craighead, Crittenden, Poinsett, Lawrence County. The whole Eastern Judicial District.

Councilmember John Street motioned, seconded by Councilmember Chris Gibson, to accept the \$25,000 offer of judgement plus reasonable attorney fees. All voted aye.

5. CONSENT AGENDA

Approval of the Consent Agenda

A motion was made by Councilperson Chris Gibson, seconded by Councilperson Joe Hafner, to Approve the Consent Agenda. The motioned PASSED

Aye: 11 - Brian Emison;Chris Gibson;David McClain;Joe Hafner;Mitch Johnson;Anthony Coleman;Janice Porter;John Street;Charles Coleman;LJ Bryant and Ann Williams

Absent: 1 - Chris Moore

[MIN-23:001](#) MINUTES FOR THE CITY COUNCIL MEETING ON JANUARY 3, 2023

Attachments: [CC Minutes 01032023](#)

This item was APPROVED on the consent agenda.

[RES-22:256](#) A RESOLUTION TO THE CITY COUNCIL OF JONESBORO, ARKANSAS AUTHORIZING THE OFFER AND ACCEPTANCE TO PURCHASE ADDITIONAL RIGHT-OF-WAY AT 1400 E. WASHINGTON AVENUE FOR THE PURPOSE OF THE CONSTRUCTING AND MAINTAINING ROADWAY IMPROVEMENTS

Sponsors: Engineering

Attachments: [Offer and Acceptance - 1400 E Washington Avenue](#)

This item was APPROVED on the consent agenda.

[RES-22:258](#) A RESOLUTION BY THE CITY OF JONESBORO TO WITHDRAW THE CONDEMNATION OF CERTAIN REAL PROPERTY LOCATED AT 301 REEVES STREET, JONESBORO, ARKANSAS AND AUTHORIZE THE PURCHASE OF ADDITIONAL RIGHT-OF-WAY AT 301 REEVES STREET FOR THE PURPOSE OF CONSTRUCTING AND MAINTAINING ROADWAY IMPROVEMENTS

Sponsors: Engineering

Attachments: [Offer and Acceptance - 301 Reeves Street](#)

This item was APPROVED on the consent agenda.

[RES-22:259](#) A RESOLUTION BY THE JONESBORO CITY COUNCIL TO WAIVE COMPETITIVE BIDDING AND AUTHORIZE THE PURCHASE OF THREE PICKUP TRUCKS FOR THE CITY OF JONESBORO

Sponsors: Finance

Attachments: [2023 Chevy 1500 Double Cab 4WD Documents](#)

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

[RES-23:001](#) A RESOLUTION BY THE JONESBORO CITY COUNCIL DECLARING AN EXCEPTIONAL SITUATION AND WAIVE COMPETITIVE BIDDING TO REPAIR DAMAGE TO CITY-OWNED INDUSTRIAL TRACK

Sponsors: Engineering

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

RESOLUTIONS NOT ON THE CONSENT AGENDA

[RES-23:002](#) A RESOLUTION REQUESTING FREE UTILITY SERVICES FROM CITY WATER AND LIGHT FOR THE CITY OWNED PROPERTY AT 400 LACY DRIVE

Sponsors: Building Maintenance

Councilmember John Street asked to be recused from RES-23:002 and RES-23:010 due to his position on the CWL Board.

A motion was made by Councilperson Chris Gibson, seconded by Councilperson Joe Hafner, that this Resolution be Passed. The motion CARRIED with the following vote:

Aye: 10 - Brian Emison;Chris Gibson;David McClain;Joe Hafner;Mitch Johnson;Anthony Coleman;Janice Porter;Charles Coleman;LJ Bryant and Ann Williams

Absent: 1 - Chris Moore

Abstain: 1 - John Street

[RES-23:010](#) RESOLUTION TO SET JUDGES, CLERKS AND ALTERNATE WORKERS FOR THE 2023 CITY, WATER AND LIGHT ELECTION

A motion was made by Councilperson Chris Gibson, seconded by Councilperson Brian Emison, that this Resolution be Passed. The motion CARRIED with the following vote:

Aye: 10 - Brian Emison;Chris Gibson;David McClain;Joe Hafner;Mitch Johnson;Anthony Coleman;Janice Porter;Charles Coleman;LJ Bryant and Ann Williams

Absent: 1 - Chris Moore

Abstain: 1 - John Street

6. NEW BUSINESS

ORDINANCES ON FIRST READING

[ORD-23:001](#) AN ORDINANCE TO AMEND CHAPTER 117, KNOWN AS THE ZONING ORDINANCE PROVIDING FOR CHANGES IN ZONING BOUNDARIES FROM R-1 TO C-3 LUO FOR

PROPERTY LOCATED AT 5618 SOUTH CARAWAY ROAD AS REQUESTED BY WESCOTT ENTERPRISES, LLC

Attachments: [Staff Summary - City Council](#)
 [Plat](#)

Councilmember John Street motioned, seconded by Councilmember LJ Bryant, to suspend the rules and offer ORD-23:001 by title only. All voted aye.

A motion was made that this Ordinance be Held at one reading. The motion CARRIED with the following vote:

Aye: 11 - Brian Emison;Chris Gibson;David McClain;Joe Hafner;Mitch Johnson;Anthony Coleman;Janice Porter;John Street;Charles Coleman;LJ Bryant and Ann Williams

Absent: 1 - Chris Moore

[ORD-23:002](#)

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 TO C-4 LUO NEIGHBORHOOD COMMERCIAL DISTRICT FOR PROPERTY LOCATED AT 1916 DISCIPLE DRIVE, JONESBORO, AR AS REQUESTED BY CORNERSTONE UNITED METHODIST CHURCH

Attachments: [Staff Summary - City Council](#)
 [Plat](#)

Councilmember John Street motioned, seconded by Councilmember Chris Gibson, to suspend the rules and offer ORD-23:002 by title only. All voted aye.

A motion was made that this Ordinance be Held at one reading. The motion CARRIED with the following vote:

Aye: 11 - Brian Emison;Chris Gibson;David McClain;Joe Hafner;Mitch Johnson;Anthony Coleman;Janice Porter;John Street;Charles Coleman;LJ Bryant and Ann Williams

Absent: 1 - Chris Moore

7. UNFINISHED BUSINESS

ORDINANCES ON THIRD READING

[ORD-22:047](#)

AN ORDINANCE TO VACATE AND ABANDON A PORTION OF STREET RIGHT OF WAY FOR UNDEVELOPED HARLAN COVE LOCATED NORTH OF JONATHON DRIVE AS REQUESTED BY FISHER & ARNOLD, INC.

Attachments: [Harlan Cove](#)

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

Aye: 11 - Brian Emison;Chris Gibson;David McClain;Joe Hafner;Mitch Johnson;Anthony Coleman;Janice Porter;John Street;Charles Coleman;LJ Bryant and Ann Williams

Absent: 1 - Chris Moore

8. MAYOR'S REPORTS

Mayor Harold Copenhaver said, I have some comments to say this evening and I would appreciate the full attention of Council as we do so.

I've met with Code Enforcement Director Scott Roper and we've been working on a fee structure to revise code enforcement violations. This is something that has been mentioned here in the chambers, and we agree that a fee schedule needs restructuring. We will have something to you before long.

As many of you already know, Jonesboro led the way at the Arkansas business trendsetter awards last week. I was really proud of this community and represents people coming together and working together. We were the only city recognized three times. Leading the way in education workforce development. I thank Shelle Randall and the team from Chamber of Commerce for annually heading up this project and its success in developing home grown talent for our Jonesboro workforce. We were the winner for that classification. We were also honored for a couple other projects. The first of which is the first Real-Time Crime Center that is successful, and I'm more excited about this because this was a promise to solve and deter crime in the future. As well, as we get more cameras at more intersections and in more nearby towns and cities. It's a collaborative effort among the community, business partners and other cities. Our efforts to get the Shooting Sports Complex open to the public as well and it was also honored in the competition of tourism development and creative culture. The range is unique in this corner of the state and it too has promised for the future as we will expand and improve as we move forward.

Today I attended the funeral for State Police Officer Phil Carter, who served over 30 years as a State Trooper and was chosen Craighead County Peace Officer of the year in 2004 by the Jonesboro Exchange Club. He was an outstanding member of this community.

On Saturday I attended the funeral service for another outstanding leader, Qubilah Jones, who lived a life of non-profit service for fighting the painful disease that ended her life. I ask that we reflect on these two people, both our friends and neighbors, and pray in their memories serve as role models for all of us.

I received a call this week that made me both sad and proud. A Jonesboro resident has been battling ALS. He has fallen a couple times recently and his wife had to call EMS to get him on his feet. She contacted me though to tell me how grateful she was for our Jonesboro firefighters, who responded and helped him with gentle kindness. Sometimes the public doesn't realize everything our Jonesboro Fire Department does and it's not always about fire. It's just about the service they continually provide and the love for the citizens. They help in so many ways, shapes and fashions and I'm proud of the job they do and the way they conduct themselves in all situations.

Another tragedy also occurred on Johnson Avenue involving a vehicle and a pedestrian. We knew it could happen again, and my heart goes out to the family and loved ones of this family who is in critical condition in Memphis. In recent months this administration and various department heads have contacted state highway leaders about our concerns regarding pedestrian safety on this stretch of highway. I know they are all your concerns as well. A few months ago I hand delivered a letter to ARDOT requesting once again to review this area, and we were told just this morning that

response has been drafted and is forthcoming. Johnson Avenue runs from Riceland to the city limits on the north side of town. In 2022, we had 103 vehicle accidents, six involving pedestrians on this stretch. As you know, we convinced ARDOT to lower the speed limit, Jonesboro Police Department in response, has stepped up enforcement issuing 435 citations. This is a well-known troublesome spot and it has been for a long time. ARDOT's trial traffic calming project at State Street a couple of years ago was deemed as unsuccessful and it seemed to create many problems as well solving some. Still, I believe our state highway leadership understands how critical it is to make this intersection safer, and while this is state highway, I will not stop working to secure safe pedestrian crossings along this corridor. Here's the deal folks, Arkansas is the seventh highest rate of pedestrian fatality in the nation. We have to boost awareness of our road safety because I don't want this to happen anymore, and while we need the services of the State Highway Department, I'm very grateful for them, but this has to be resolved.

9. CITY COUNCIL REPORTS

Councilmember John Street said, yes Mr. Mayor, I can assure you MPO will be right there as partners with the city. We have pursued this, as you know. Remember the MPO, for at least two years, and we'll continue right along with you. I think it's important, it deserves to be a priority of both MPO and the cities, and hopefully we'll have some resolution to improve the safety at that crossing and maybe some others around town.

Councilmember Mitch Johnson said, yes, earlier at our Public Safety Committee meeting the committee passed and requested resolution that did long lead times be walked on tonight's agenda.

Councilmember Mitch Johnson motioned, seconded by Councilmember Chris Gibson, to suspend the rules and walk-on RES-23:011. All voted aye.

Councilmember Dr. Anthony Coleman said, Mayor you mentioned something I was thinking about. You mentioned about the Fire Department and I wanted to thank Chief Marty Hamrick for the report I requested. I'm prefacing that because I was watching the news this morning and there's so much happening, so much negativity, not just in the world be also in our city. I'm very concerned with the safety of our city. This is not questioning our law enforcement officers, as I believe our Chiefs are doing a wonderful job, but I would like a little bit more discussion as to some of the things that are happening so that we can hear and share with our citizens that these are some things that we are doing to ensure their safety in that regard. Obviously, we can't predict crazy things going on but at least we can share with our constituents that our Chief and others have reports and things that they can share. To see on the news, a little kid in diapers with a gun in his hand. Thank God it did not happen here in Jonesboro but it could. I just like to hear more of what we're doing to ensure and insist for public safety. Mayor Harold Copenhaver said, if I may I'm just going to add to that. You know over the last two years, and we can give you updates as well, but we're working a lot with public private partnerships on education process of what we've been doing with our Real-Time Crime Center. Chief can probably back me up, I don't know the exact numbers, but year to date we're over 600 solved cases by using systems that we implemented over the last two years, and this Council has been very proactive financially and working with both departments, police, fire and 911 on the upgrades that we've made for technology. Again, we are taking every stride financially and providing the ability for our community to be safer in all assets of that, as far as traffic, crime and our officers being safe as well with technology. We will continue to advance that

and educate you on that process.

Councilmember David McClain said, I appreciate you bringing up the accident that happened on Johnson. I know that's on everybody's mind. I know we've talked about the MPO working with ARDOT. At some point, in my mind, we have to insist to ARDOT that we have to make some changes. One life loss is too many. I'm sure it's happening in other parts of the state where they insist, you are going to work with us to make changes. I know we're working with them but at the same time I want to make sure we start to be a little more forceful. Again, one life lost in that regard is too many. Mayor Harold Copenhaver said, thank you for your comments, and I will say as well, I think a life was lost in Trumann as a pedestrian accident as well. It's unfortunately too common across our state.

Councilmember Chris Gibson said, yes, I need to call a Nominating and Rules meeting for next Tuesday the 24th at 5:15 pm. We will have only one agenda item that I'm aware of and that is appointments to the Keep Jonesboro Beautiful board.

Councilmember Ann Williams said, I just wanted to mention one thing in regards to while we're waiting for approval from ARDOT on the HAWK Signal. Both Alec Farmer and Brad Smithee have emphasized the importance of strict enforcement of the speed limit of 35 along there; I hope because that's a part of the package as far as pedestrian safety. Along that corridor is a good adequate signal plus enforcement of the 35 mph speed limit. That's what Mr. Farmer indicated today would be very important for us to do. Mayor Harold Copenhaver said, I agree and I think what we just gave, the number of 435 citations were written in last year on Johnson alone.

[RES-23:011](#)

A RESOLUTION BY THE JONESBORO CITY COUNCIL TO WAIVE COMPETITIVE BIDDING AND AUTHORIZE THE PURCHASE OF FIRE DEPARTMENT SOFTWARE FOR THE FIRE DEPARTMENT.

Sponsors: Fire Department and Information Systems

Attachments: [QT Jonesboro 1-6-22](#)
[First Due Sole Source Letter - Jonesboro AR](#)

A motion was made by Councilperson Chris Gibson, seconded by Councilperson Brian Emison, that this Resolution be Passed. The motion CARRIED with the following vote:

Aye: 11 - Brian Emison;Chris Gibson;David McClain;Joe Hafner;Mitch Johnson;Anthony Coleman;Janice Porter;John Street;Charles Coleman;LJ Bryant and Ann Williams

Absent: 1 - Chris Moore

10. PUBLIC COMMENTS

Pattie Lack, 4108 Forrest Hill Road, approached the podium and said, I have three areas and it's kind of unusual that we said something about doing updates. There's several issues that I know that I've written emails and then also to that I want you guys to be aware of.

I emailed you guys last week about Craighead Forest Road by Savannah Hills apartments and when it starts to rain Craighead Forest Road floods. One of my concerns is that there's been such movement of dirt on that property right now that the water has no place to go to. Currently they're building six fourplexes on that property

and then right behind that, when they do that, they are going to be building fourteen triplexes. So there's going to be 66 more units on that area. The natural water drainage, and on one of those pictures there you can see that it backs up. My property backs up to that so I know where that drainage is and there's no place for that water to go. We have problems now and it's only going to get worse when we keep on building, because that property has space for even more apartment units. Another concern of mine, and you can see on that photo, is how some of those trees have been dug around. Those are significant trees. It's really sad to see, because all of those trees are going to die because the roots have been exposed. I know it's a concern to a lot of people around that neighborhood of how that processes has been done, because I know that we have a tree ordinance and we want to follow it. If you guys have time go out there and look at those significant trees, of how they've just been plowed around. Something's not right with the tree ordinance on that.

The second issue that I have in that brochure is talking about how I brought up back in September about having a policy for attendance in the chambers. I brought up that the JP's have an ordinance that they've had since 2018 and their ordinance reads that they can miss one meeting and not get paid. If you look on there, what I did and what I sent to you back in September about how many meetings some of you have missed. I think it would be important to have an attendance policy, because you guys are here to make those decisions and when you're not here you're missing out on a lot of stuff. It's not going to be a hard process. All it is is stating of whether you're here for the meeting or not and whether you get paid for it. It's something I haven't heard back from the City on whether you guys want one. I know the Municipal League leaves it up to each individual city so I'm going to let you guys decide that, but it would be great to hear.

The third and final one is talking about the pre-meeting for the MAPC, the application form and neighborhood meetings. I've attended a lot of the pre-meetings for the MAPC, it's on Monday at 3:30 pm on the third floor. The times that I've been there, there's only one or two or three of the commissioners, three at the most, and there's eight of them that sit on that board. I don't know if that meeting is mandatory but my problem is, is that is a pre-meeting to ask questions. So when they have the meeting on Tuesday at 5:30 pm, the ones that didn't show up, know nothing about those questions. Monica is a person, I don't know if she is taking notes on that, but I don't know if they know what was discussed in that meeting. They make a lot of important decisions because they pass those decisions on to you guys. It's a privilege for those people to serve on that board. I don't know if we want to move that pre-meeting to Tuesday at 5 o'clock so they can hash it out in here and we can all hear about it and then the citizens can be involved then. The other thing is the application and the certified letters. The policy is that its 200 feet that certified letters have to go out to. I hope that we can move that out to at least 400 feet if not 600 feet. The reason behind that is I think a good example is Race and McClellan where the condos are supposed to go. 200 feet wasn't enough to notify those business over there on Browns Lane. A lot of people didn't know about that and I know there was a lot of controversy on it. There's one right now on Stadium and Caraway. There was no public meeting for that. A lot of people said they didn't know about it. There's only one rezoning sign on that property. I didn't see one on the Stadium side, so I don't know if that eliminated some of the people coming to it. Just to let you guys know, the condos that are supposed to be going out on McClellan Drive is that the agreement was, is that they have to produce a master deed and a horizontal regime to make sure that it's guaranteed that they are condos. That has not been filed yet so I've been keeping track of that. Back to the 200 feet versus the 400 feet. I think that we need to get more people notified about what's going on. I think it's only fair to them. The importance of a neighborhood

meeting. I have pressed that over and over again. On that sheet that I handed you, on the application number nine says "the impact of the property value and the traffic" and then number thirteen says "how do the neighbors feel about the proposed rezoning". Well, if you don't have a neighborhood meeting how do you know? I think the question we have got to look at is that there is a key word in there that says "may". I hope that we can start to require a neighborhood meeting, because what the situation is is that the people at the MAPC don't live in that area that is being rezoned. You guys are the ones that approve the rezoning on that third reading. You all don't live in that area but those neighbors do. I think it's only fair to them that they have a neighborhood meeting no matter what; to find out the impact they're going to have versus the developer deciding whether there's one or not. I hope you guys can consider that. Thank you.

11. ADJOURNMENT

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

Aye: 11 - Brian Emison;Chris Gibson;David McClain;Joe Hafner;Mitch Johnson;Anthony Coleman;Janice Porter;John Street;Charles Coleman;LJ Bryant and Ann Williams

Absent: 1 - Chris Moore

_____ **Date:** _____

Harold Copenhaver, Mayor

Attest:

_____ **Date:** _____

April Leggett, City Clerk