



City of Jonesboro

Municipal Center
300 S. Church Street
Jonesboro, AR 72401

Meeting Minutes City Council

Tuesday, October 18, 2016

5:30 PM

Municipal Center

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

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

2. PLEDGE OF ALLEGIANCE AND INVOCATION

3. ROLL CALL BY CITY CLERK DONNA JACKSON

Mayor Harold Perrin was in attendance.

Present 12 - Darrel Dover; Ann Williams; Charles Frierson; Chris Moore; John Street; Mitch Johnson; Gene Vance; Chris Gibson; Rennell Woods; Charles Coleman; Todd Burton and Robert Long

4. SPECIAL PRESENTATIONS

[COM-16:081](#) Presentation by Mayor Perrin to JHS Boys & Girls State Golf Champions

Presentation to the JHS Boys & Girls State Golf Champions

This item was Filed.

5. CONSENT AGENDA

Approval of the Consent Agenda

A motion was made by Councilman Mitch Johnson, seconded by Councilman Gene Vance, to Approve the Consent Agenda. The motioned PASSED

Aye: 12 - Darrel Dover; Ann Williams; Charles Frierson; Chris Moore; John Street; Mitch Johnson; Gene Vance; Chris Gibson; Rennell Woods; Charles Coleman; Todd Burton and Robert Long

[MIN-16:126](#) Minutes for the City Council Meeting on October 4, 2016

Attachments: [Minutes.pdf](#)

This item was PASSED on the consent agenda.

[RES-16:126](#) RESOLUTION BY THE CITY COUNCIL OF THE CITY OF JONESBORO, ARKANSAS AUTHORIZING THE MAYOR TO ENTER INTO A SPONSORSHIP

AGREEMENT WITH FIRST COMMUNITY BANK TO PROVIDE THE MATERIALS FOR A SYNTHETIC ICE RINK FOR THE CITY OF JONESBORO

Attachments: [Skate Rink Sponsorship Agreement.pdf](#)

This item was PASSED on the consent agenda.

RES-16:130

A RESOLUTION TO THE CITY OF JONESBORO TO ENTER INTO AN INDEMNIFICATION AGREEMENT WITH ARTEFACTS

Attachments: [Indemnification Agreement](#)

This item was PASSED on the consent agenda.

RES-16:135

RESOLUTION BY THE CITY COUNCIL OF THE CITY OF JONESBORO, ARKANSAS TO PARTNER WITH THE ARKANSAS STATE HIGHWAY AND TRANSPORTATION DEPARTMENT FOR THE FOLLOWING PROJECT: JOB 100872, HWY 18/MAIN ST. HIGHLAND DR. INTERSECTION IMPROVEMENTS

Attachments: [AHTD Hwy 18 Intersection.pdf](#)

This item was PASSED on the consent agenda.

RES-16:137

A RESOLUTION TO ENTER INTO A RADIO TOWER JOINT USER AGREEMENT WITH CITY WATER AND LIGHT (CWL)

Attachments: [Exhibit A](#)
[Tower Agreement -.pdf](#)

This item was PASSED on the consent agenda.

RES-16:138

RESOLUTION BY THE CITY COUNCIL OF THE CITY OF JONESBORO, ARKANSAS TO LEVY A 2 MILL TAX ON ALL REAL AND PERSONAL PROPERTY FOR THE PUBLIC LIBRARY TAX

This item was PASSED on the consent agenda.

RES-16:139

RESOLUTION BY THE CITY COUNCIL OF THE CITY OF JONESBORO, ARKANSAS LEVY A ONE- HALF (.5) MILL TAX ON ALL REAL AND PERSONAL PROPERTY FOR THE JONESBORO POLICE PENSION PLANS

This item was PASSED on the consent agenda.

RES-16:140

A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF JONESBORO, ARKANSAS TO LEVY A ONE-HALF (.5) MILL TAX ON ALL REAL AND PERSONAL PROPERTY FOR THE LOCAL FIREMENS PENSION PLANS

This item was PASSED on the consent agenda.

6. NEW BUSINESS

ORDINANCES ON FIRST READING

ORD-16:073

AN ORDINANCE TO THE CITY OF JONESBORO, ARKANSAS TO AMEND THE 2016 BUDGET AND ENTER INTO A REAL PROPERTY DONATION AND SALE

AGREEMENT FOR PROPERTY LOCATED ON HIGHWAY 63B/DAN AVENUE

Attachments: [Agreement.pdf](#)
 [Exhibit A.pdf](#)
 [Exhibit B.pdf](#)
 [Exhibit C.pdf](#)
 [Appraisal.pdf](#)

Councilman Street offered by title only.

Councilman Street stated they had talked about this in the Finance Meeting last week, but asked Mayor Perrin if he would like to speak about it. He asked if there was a close date for this deal. Mayor Perrin stated this went to the building facilities committee and it passed unanimously to come to the Finance Committee and then to the Council. The Lacy Family has an appraisal on the property and this property is 72 acres which adjoins all of the property on our Joe Mack Campbell Facility. The appraised value of that property is approximately \$1.1 million. The Lacy Family is willing to sell that to the City for \$542,325. On this gift, I think they want this closed before December 31, 2016. Obviously, it is a great price if the Council chooses to buy this property.

Mayor Perrin stated that the first thing we will do if we acquire this property is take care of the Maintenance Shed that floods quite often. I want to get a Master Plan to see how to utilize the remainder of that property which will be around 70+ acres. We are getting tight on soccer fields because of the number of kids that are playing. We have also had discussions about an aquatic facility or at least an indoor swimming facility that can be used by all high schools in the area and for State meets that will bring in a lot of folks into our community. There will be an area for our younger citizens as well. Since the closing date needs to be by December 31, 2016 and this is mid-October, we need to move on this even if we don't approve the entire thing tonight.

Councilman Street stated he thought this was a win-win for the city. It can help us with our drainage and it is an excellent price and a great chance for the city to expand our existing fields. Councilman Dover asked if the money was coming out of Capital Improvement. Mayor Perrin stated that it is coming out of Reserves. Mayor Perrin stated that this Ordinance would take effect in 30 days so we will put that on the calendar since there is not an emergency clause attached. We can go ahead and get with the title company to get everything ready so we can be ready to close within 30-40 days.

Mr. Womack, attorney for the Lacy Family, came to speak. The Lacy Family, which consists of three generations, appreciates the time the city has taken to work with them on this opportunity and they look forward to completing this transaction and letting this be a positive for the City of Jonesboro. Mr. Womack believes there are a lot of possibilities to be had with this property. This is a sale/donation that the Lacy Family is very pleased to be able to participate in. Mayor Perrin stated that we will contact the title company tomorrow and getting the paperwork to them.

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

A motion was made by Councilman Charles Frierson, seconded by Councilman John Street, that this matter be Passed . The motion PASSED with the following vote.

Aye: 12 - Darrel Dover;Ann Williams;Charles Frierson;Chris Moore;John Street;Mitch Johnson;Gene Vance;Chris Gibson;Rennell Woods;Charles Coleman;Todd Burton and Robert Long

ORD-16:074

AN ORDINANCE TO APPROVE THE PURCHASE OF A CATERPILLAR EXCAVATOR FOR THE STREET DEPARTMENT, APPROPRIATING FUNDS, AND DECLARING AN EMERGENCY

Attachments: [Riggs CAT Catepillar Excavator.pdf](#)

Councilman Street offered by title only.

Councilman Street said this has been before us before, but it was on a different machine. When they found out what didn't come with the first one, they re-bid it and it actually came out \$1,900 cheaper. It was recommended unanimously by the Finance Committee. Mayor Perrin stated that as Councilman Street stated this has been through Council before, but they had to go back and get a re-bid on it and it is less than the one we had before.

Councilman Dover asked if this equipment would be used solely for cleaning ditches. Mayor Perrin stated that was correct. In my Mayor's Report, I will tell you where we are at on the channelization and stabilization which I think you are going to be pleased with.

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

After passage of the ordinance, Councilman Gibson motioned, seconded by Councilman Moore, to adopt the emergency clause. All voted aye.

A motion was made by Councilman John Street, seconded by Councilman Chris Gibson, that this matter be Passed . The motion PASSED with the following vote.

Aye: 12 - Darrel Dover;Ann Williams;Charles Frierson;Chris Moore;John Street;Mitch Johnson;Gene Vance;Chris Gibson;Rennell Woods;Charles Coleman;Todd Burton and Robert Long

ORD-16:075

AN ORDINANCE TO AMEND THE 2016 ANNUAL BUDGET FOR THE CITY OF JONESBORO TO ADD ONE ADDITIONAL POSITION OF CAPTAIN TO THE FIRE DEPARTMENT AND MAKE ONE PART-TIME RECORDS CLERK FULL-TIME IN THE POLICE DEPARTMENT.

Councilman Moore offered by title only.

Mayor Perrin said the Captain position will be a Fire Marshall. When we get to that we will be adding a Fire Marshall. The City is growing at such a rapid pace and we only have two Fire Marshalls. To improve plans and inspections, we are going to have to speed that up particularly with two convention centers potentially coming and all of the things we have got here. We are taxing those folks out. This will take effect in 30 days because there was no emergency clause.

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

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

Aye: 12 - Darrel Dover; Ann Williams; Charles Frierson; Chris Moore; John Street; Mitch Johnson; Gene Vance; Chris Gibson; Rennell Woods; Charles Coleman; Todd Burton and Robert Long

7. UNFINISHED BUSINESS

RES-16:143

RESOLUTION BY THE CITY COUNCIL OF THE CITY OF JONESBORO, ARKANSAS TO AMEND THE CITY'S SALARY AND ADMINISTRATION POLICY

Attachments: [Salary Administration Plan October 2016.pdf](#)
[Exhibit A Fire Plan Steps.pdf](#)
[Exhibit A Police Plan Steps.pdf](#)

Councilman Dover motioned, seconded by Councilman Street to suspend the rules and walk on RES-16:143 to the agenda to be discussed because it has a direct relationship with ORD-16:068 and ORD-16:069. All voted aye.

Councilman Dover stated that CFO Suzanne Allen has made some documents to pass out. From the Finance Committee, there was some discussion about amending this particular resolution regarding the step plans for the Fire and Police. He asked Ms. Allen if the new handout reflected that yearly step. Ms. Allen said yes. The City Attorney Carol Duncan stated that it also reflects the amendment of the non-uniform and the amendment of the typographical error.

Councilman Street motioned, seconded by Councilman Burton to amend the RES-16:143 to reflect the changes made with yearly increments step plans for Fire and Police and the typographical error. All voted aye.

Mayor Perrin stated one of the discussions to bring up on RES-16:143 was the effective date because the Police Salaries were approved on September 20, 2016. Councilman Johnson said it was voted in on September 20, 2016. Councilman Dover asked for clarification on the effective date. CFO Suzanne Allen said the first pay would be October 15, 2016. She said the first pay period after September 20, 2016 would be October 1-15, 2016. City Attorney stated October 1st would make more sense and technically, it would show up on the October 15th paycheck which is what they were expecting.

Councilman Burton said to be consistent, you would have to have them all start at the same time. Mayor Perrin stated that you are going to have to get it clear for your Finance Department. He said you need to be effective October 1st to be paid October 15th for all pay plans. City Attorney Carol Duncan said it would be effective October 1st with expected back pay to that date. Councilman Dover stated he wanted to get the wording correct. Mayor Perrin said it would be October 1, 2016. Ms. Duncan agreed.

Ms. Duncan said one ordinance does have an effective date on it and it would have to be amended to reflect the effective date of October 1, 2016. Councilman Dover asked if we need to pass the resolution and then come back and make an amendment to each ordinance to reflect the effective date of October 1, 2016. Ms. Duncan said that was correct.

Mayor Perrin asked if everyone understood and if there were any questions. Councilman Johnson asked if the numbers were going to change. He said he wants to make sure the dollar amounts are right for the plan they adopted last month. Councilman Dover said there were some errors on the numbers. Ms. Duncan stated there were some legitimate errors on the numbers so they will not be the same.

Councilman Johnson wanted to clarify what he is trying to say since there are so many numbers in front of us. Are the dollar figures on exhibit A from min to max the same? Ms. Allen stated that he had the wrong document. Councilman Dover said Councilman Johnson had the wrong one because they had amended it. Ms. Allen said it was the blue one. Councilman Johnson said he had that, but he wanted to know if the numbers were the same. Councilman Street said yes because it was done on an annual basis. It was the step scale that changed from 1, 3, 5 to yearly. Councilman Johnson wanted to make sure that the bottom and top number has not changed from what we got earlier. Ms. Allen said that was right. Councilman Johnson stated that all we are technically doing is moving everyone to a yearly scale. Councilman Dover said that was correct.

Councilman Long stated they took the difference between the years and divided them evenly. Councilman Dover said some of the numbers given on individuals there were corrections on those. The plan has not changed. Councilman Johnson stated he wanted to make sure that we implemented a plan last month and that we are still on those goals and that it is just changing by yearly date. Councilman Dover said yes. Mayor Perrin stated that the ordinance that was passed with the sheets that were attached were incorrect for individual people within the Police Department. Councilman Johnson wanted to make sure that the pay scale has not changed. Ms. Duncan said that it has not changed. Police Chief Elliott stated that he agrees with them and everything is good on it.

A motion was made by Councilman Charles Frierson, seconded by Councilman Chris Gibson, that this matter be Passed. The motion PASSED with the following vote.

Aye: 12 - Darrel Dover; Ann Williams; Charles Frierson; Chris Moore; John Street; Mitch Johnson; Gene Vance; Chris Gibson; Rennell Woods; Charles Coleman; Todd Burton and Robert Long

ORDINANCES ON SECOND READING

ORD-16:068

AN ORDINANCE AUTHORIZING THE CITY OF JONESBORO TO AMEND THE 2016 ANNUAL BUDGET FOR THE FIRE DEPARTMENT

Attachments: [Exhibit A Fire Plan Steps.pdf](#)
[Salary Administration Plan October 2016.pdf](#)

Councilman Dover motioned, seconded by Councilman Street to amend ORD-16:068 to reflect an effective date of October 1, 2016. All voted aye.

CFO Suzanne Allen said she had a question for the City Attorney Carol Duncan. She said the Fire Scale will be the old one. Do we need to amend that to attach exhibit A? Ms. Duncan said you could just delete that attachment by amendment. Ms. Duncan stated there are two attachments and she said the safest thing would be to amend the ordinance to delete both attachments.

Ms. Allen said she had one other statement after speaking with City Attorney Carol Duncan about the money to be appropriated in the ordinance. She said that they agreed that the amount appropriated should not matter because any money left at the end of the year would roll over into reserves. Ms. Duncan stated that all of the numbers on all of the plans will be more than what is required to accomplish the plan. She said as of December 31, 2016, it will roll back over into reserves.

Councilman Dover motioned, seconded by Councilman Frierson to amend ORD-16:068 to delete the Fire Scale and the Fire Department Plan. All vote aye.

Councilman Street motioned, seconded by Councilman Frierson to suspend the rules and waive the third reading. All voted aye.

A motion was made by Councilman Charles Frierson, seconded by Councilman Darrel Dover, that this matter be Passed . The motion PASSED with the following vote.

Aye: 12 - Darrel Dover;Ann Williams;Charles Frierson;Chris Moore;John Street;Mitch Johnson;Gene Vance;Chris Gibson;Rennell Woods;Charles Coleman;Todd Burton and Robert Long

ORD-16:069

AN ORDINANCE TO AMEND THE 2016 ANNUAL BUDGET AND THE JOHANSON PAY PLAN FOR THE CITY OF JONESBORO

Attachments: [Exhibit A for Nonuniform](#)
[Exhibit B Step Plan with Joahnsn Min-Mid-Max](#)
[NEW PAY PLAN COMPARISON](#)
[Salary Administration Plan October 2016.pdf](#)

Councilman Gibson abstained from the discussion and voting on this item.

CFO Suzanne Allen stated that the one attachment titled Salary Administration Plan needs to be removed because we just adopted that through RES-16:143. City Attorney Carol Duncan asked if the ordinance was going to be amended to change the effective date to October 1, 2016 and delete the Salary Administration Plan for February 16, 2016 with HR Revisions.

Councilman Dover motioned, seconded by Councilman Street to amend ORD-16:069 to reflect an effective date of October 1, 2016 and delete the Salary Administration Plan for February 16, 2016 with HR Revisions. All voted aye with the exception of Councilman Gibson who abstained.

Mayor Perrin stated that the next time he suggests the Council, Legal, and Administration work on these things before they are brought to the public because he thinks that a lot of people are lost and he apologizes for that.

Councilman Street motioned, seconded by Councilman Coleman to suspend the rules and waive the third reading. All voted aye with the exception of Councilman Gibson who abstained.

City Attorney Carol Duncan stated that the Mayor's staff, Council members, and Legal Counsel have met for many hours prior to bringing this to the council floor. Mayor Perrin stated he understood. Ms. Duncan stated that once it is in Legistar, it can only be amended on the council floor. When your committee, ten minutes before the council meeting, makes another change to it, it has to happen on the council floor. Mayor Perrin said he understood that and can do the format as well as the items.

Mayor Perrin said I want to make a few comments regarding the salary increases for 2016. As I have stated before, our employees whether uniform or non-uniform need to receive competitive salaries to take home to their families. I want to thank all of the committees that worked long hours on all the plans for all departments. What I want to share with you is my concern regarding the financial position of the city as we go forward into 2017's budget. Understand that whatever you decide, I will continue to work very hard to do whatever it takes to balance the budget, as required by state law. The thing that concerns me most is the potential impact on capital improvements. We have been spending 6-8 million dollars over the past few years on different projects.

Mayor Perrin stated that going forward, with the new salaries, we estimate the reserves will be depleted within 8-10 years. This is utilizing only \$1.5-2 million in Capital Improvement expenses annually. If the city has to do a large project in drainage, storm water or major repairs, this could reduced the 8-10 years down to a 4 year period due to depletion. I only say that because we will certainly make it work with our administration and I am very comfortable with what you all passed tonight, but we will make it work. I want to make sure for the record that we have covered that and you do understand that our capital improvements going forward will have to be looked at very carefully. They will have to be prioritized. I will give you an example of that. For next year, if you did a shooting range of even \$1 million and did a concession stand at Joe Mack Campbell Park, you have now reached your entire capital improvements for the year which is \$1.5 million. Again, as we go into the budgets for 2017, they will be ultra, ultra conservative for the city. I want to make sure that is part of the record.

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

Aye: 11 - Darrel Dover;Ann Williams;Charles Frierson;Chris Moore;John Street;Mitch Johnson;Gene Vance;Rennell Woods;Charles Coleman;Todd Burton and Robert Long

Abstain: 1 - Chris Gibson

ORD-16:072

AN ORDINANCE TO AMEND CHAPTER 117, KNOWN AS THE ZONING ORDINANCE PROVIDING FOR CHANGES IN ZONING BOUNDARIES FROM R-2 TO RM-12 FOR PROPERTY LOCATED AT 1007 AND 1103 COMMERCE DRIVE AS REQUESTED BY DEBBIE VETETO

Attachments: [Application](#)
[Rezoning Plat](#)
[Staff Summary - 1007 and 1103 Commerce Drive](#)

Councilman Street asked City Planner, Derrel Smith if there had been any complaints with this request. He stated he knew there was at least one. Mr. Smith stated there were complaints from the neighbors on this and I think they are here tonight to let you know about it. Councilman Street asked to be refreshed on the zoning. Mr. Smith said it is currently zoned R-2 which allows the 12 units just like the RM-12. Councilman Street said he thought the RM-12 would allow for better development. Mr. Smith said instead of being on individual lots, it can all be on one lot instead of having lot lines for each duplex. Councilman Street said there is limited use that would require fencing and shrubbery. Mr. Smith said that is correct that you can have buffers and shrubs and landscaping. Councilman Burton asked what school district that this was in. Mr. Smith said that it is in the Nettleton School District.

Keith Veteto, 1007 Commerce Drive and I have lived there over 19 years. 1103 Commerce Drive is my brother and sister-in-law and they have lived there for over 33 years. We are wanting to sell that and believe that if it is changed to the RM-12, that it will make for a better development and more attractive due to the landscaping and electrical being done differently.

Larry McAlroy, 1005 Commerce Drive, and he lives next door to Keith Veteto. Mr. McAlroy said in the original zoning documents that he got for the rezoning for the RM-12, the pictures that were supplied didn't explain the whole situation. The pictures I saw showed mostly open ground, no housing whatsoever. This area, from Keith's brother's all the way North on Commerce Drive is a residential area with nothing but single family houses. Mr. Southard who wanted to rezone their property for 36 more units like he's got across the street there, he supplied the pictures which show the

two houses that he tore down to build, but they don't show the rest of the houses out there. My point is that they were not clear as to what was really out there. On the approval criteria, Section E says the extent to which the approval of the proposed rezoning will detrimentally affect the nearby property including, but not limited to any impact on property value, drainage, visual, odors, noises, and vibrations, whatever in restriction to the normal and customary use of the affected property. They gave it a green light or green check mark and I can tell you it does have an impact on property values, my property especially. I am going to be able to reach out of one of my bedroom windows and touch somebody when they build that next to my house. That is going to run my property value almost down into the ground.

Mr. McAlroy said we do have a drainage problem out there. When Mr. Southard raises the level of his property, he is going to be blocking the water. All of the water drains from North to South. He is on the South end of that residential area so when he raises that property level, he is going to be blocking all of the water that is coming from the North down. There is nowhere for that water to go. If he puts in a retention pond, there is still nowhere for that water to go. There is a small ditch out front which is three or four foot wide and a couple of feet deep. That is the only drainage we have all the way down to where the big creek is South of us so there is definitely a drainage problem on the West side of Commerce Drive. I don't know how you are going to accomplish the water situation by building that lot up and he is going to have to build it up to stay out of the water just like he did across the street. I would recommend that if I was a builder, but it's going to block water on me. I disagree with Section E. It does not meet the criteria.

Mr. McAlroy said that Section G says the impact of the proposed development on community facilities and services including those related to utilities, streets, and drainage, fire, police, emergency and medical services. We were in the country and nobody bothered anything. Since those apartments have been built, I have had my car broken into, my neighbors have had problems, there have been people walking up and down the street at 2 a.m. and that's all coming from apartments. I stood here about three years ago and told you this was going to happen when you start building apartments in one confined area. They need to be spread out. I cannot sell my property like they sold theirs. I can't sell out like the rest of these people. Mr. Southard called me this afternoon and wants to buy my property, but he wants to pay me about half of what it is worth. He is paying by the acre because he doesn't want the house. I am being pushed out by the rezoning that is taking place and a zoning committee that does not have all of the criteria that they need to base good zoning on. Putting a multifamily project into a residential neighborhood should not happen. There should be a good buffer between the two. My house is only going to be a few feet from those apartments. I can't see the city wanting to do that to a residential neighborhood. I think they need to rethink their rezoning requirements. They didn't show in the pictures the 150+ apartments that Mr. Rees has or the 160+ he plans to build. I am asking the city to block this multifamily expansion into that residential area on the North part of Commerce Drive. I am asking the council to be for the people and block this.

Mayor Perrin asked City Planner Derrel Smith, how much discussion was done on the drainage for this rezoning. Mr. Smith said they didn't really discuss drainage, because they don't take that into consideration as much now as they will when the development takes place. Then, they will make sure it meets the drainage requirements of the city. The City Engineer did look at it. Michael looked at it and he didn't see a problem with it, but he won't see actual drainage calculations until there is a design out there. Mayor Perrin said until they give you plans. Mr. Smith said yes.

Councilwoman Williams had a question. According to the approval criteria, it said

that it was not consistent with the future land use plan. She wanted to know in what way or was it because of the number of units. Mr. Smith stated that the property right now is zoned R-2 and with R-2, you can build up to 12 units per acre and that is what they are requesting. The land use plan shows that this is supposed to be designed so that 25% of the area is multifamily. However, it doesn't say whether it is 25% of entire area out there which is 7,000 acres or 25% of the development itself. They are not asking for additional units and that is the way that MAPC looked at it. They are asking for the same number of units that they could build right now. Councilman Dover asked when you say units, define what a unit is. Is that a duplex or a single family home or what? Mr. Smith said it is a dwelling unit that can be a duplex. Councilman Dover said that for an R-2, you can build 12 units so that could be 12 single family homes or 12 duplexes. Mr. Smith said you can build twelve duplexes, three four-plexes. You just can't go over a four-plex. Councilman Dover said you can't go over 12 doors. Mr. Smith said that was right. It is 12 doors per acre. Councilman Dover asked what the RM-12 was. Mr. Smith said it was 12 units per acre. It is the same density; it's just how they are configured. Councilman Street asked if they could come start building tomorrow under R-2. Mr. Smith said yes that they could put some duplexes or triplexes or even a four-plex as long as they keep it on the property and don't go across property lines.

Councilman Burton asked if you build that way with the duplexes or single family homes, does that not develop at a slower rate than if you come in and put in a 24 apartment complex right there that is essentially built in a matter of months. Mr. Smith said it depends on who is the developer on it. They could come in and pull permits for all of them. It just depends on how they want to develop it. They can go as fast or as slow as they want to go as a lot of that is market driven.

Councilman Moore said one of the things to consider on R-2 is you are only allowed one building per lot and how many lots are we talking about rezoning. He asked how many lots are in that development. Mr. Smith said that right now under R-2, there are three lots. Councilman Moore stated that you can only build one building per lot right now under R-2 so you could only build three buildings. Whereas, if you rezone to RM-12, you are allowed 12 units per acre, there are 2.98 acres so we are talking about 36 units under RM-12. How many square feet was on the smaller lot? Mr. Smith said he did not remember off the top of his head. Councilman Moore stated he didn't think it qualified for four units on that lot based on the square footage and one building. I think it was 3 so we are probably talking about 9-12 units under its current zoning with the possibility of 36 units under RM-12. Mr. Smith said it wouldn't be 12 since they don't quite have three acres. Councilman Moore said the maximum would be 35 units under RM-12 because they are just shy of three acres. Mr. Smith said they could split up those lots. Councilman Moore said they could come back and replat it and submit for a subdivision.

Councilman Frierson said that doesn't prevent them from doing that. They can replat it into small lots even under R-2. Councilman Moore said under R-2, the maximum units is 12 and under RM-12, the maximum units is 35. Mr. Smith said they would have to adjust their lot lines. Councilman Frierson said it was just a replat matter.

Councilwoman Williams asked if that was not consistent with the future land use plan. Mr. Smith said the land use plan out there shows 8 units per acre. It is over the 8 that they showed on the land use plan. There is a little gap in there. It is over 8, yes.

Mr. McAlroy stated the he didn't mean to question the number of units. I understood that there would be separate buildings with multiple units in each building. Whether they put 8 units to the acre or 12 units to the acre is not the issue. The issue is that it is too close to his home and he cannot sell or rebuild. The other issue is drainage.

A motion was made by Councilman John Street, seconded by Councilman Charles Coleman, that this matter be Held at second reading . The motion PASSED with the following vote.

Aye: 12 - Darrel Dover;Ann Williams;Charles Frierson;Chris Moore;John Street;Mitch Johnson;Gene Vance;Chris Gibson;Rennell Woods;Charles Coleman;Todd Burton and Robert Long

ORDINANCES ON THIRD READING

ORD-16:070

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 623 W. PARKER ROAD AS REQUESTED BY RALPH & MARY TAYLOR

Attachments: [Plat](#)
[Application](#)
[Staff Summary - 623 W. Parker Road](#)
[Warranty Deed](#)

Councilman Street asked if there had been any opposition to this. City Planner Derrel Smith said it is industrial on both sides and so it is just filling in a gap. There hasn't been any concern on this rezoning.

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

Aye: 12 - Darrel Dover;Ann Williams;Charles Frierson;Chris Moore;John Street;Mitch Johnson;Gene Vance;Chris Gibson;Rennell Woods;Charles Coleman;Todd Burton and Robert Long

ORD-16:071

AN ORDINANCE TO AMEND CHAPTER 117, KNOWN AS THE ZONING ORDINANCE PROVIDING FOR CHANGES IN ZONING BOUNDARIES FROM R-2 TO I-1 FOR PROPERTY LOCATED AT 1013 BURKE AVENUE AS REQUESTED BY JAMES CHAPLAIN

Attachments: [Plat](#)
[Staff Summary - 1013 Burke Avenue](#)
[Application](#)

Councilman Street asked if there were any concerns about this rezoning. City Planner Derrel Smith said that it was I-1 on both sides and it's just filling in a gap.

A motion was made by Councilman John Street, seconded by Councilman Charles Frierson, that this matter be Passed . The motion PASSED with the following vote.

Aye: 12 - Darrel Dover;Ann Williams;Charles Frierson;Chris Moore;John Street;Mitch Johnson;Gene Vance;Chris Gibson;Rennell Woods;Charles Coleman;Todd Burton and Robert Long

8. MAYOR'S REPORTS

Mayor Perrin stated that each of the council has received a copy of the grants audit that was done by Thomas, Speights, & Noble. It is of record that we have to state that we have reviewed that. The audit was excellent. There were no material deficiencies whatsoever on the federal grant. Also, you all should have received a copy of the Legislative Audit for the period ending December 31, 2015. The only exception on

that one was the one that is always there which is the segregation of duties. We received an excellent audit from the Legislative Audit for last year. It is real good for a city of our size to get that kind of audit. I appreciate the Accounting Department, Finance Department, and all of you who work on that.

Mayor Perrin stated that we do have a Public Hearing on Monday, October 24, 2016, from 5-7 p.m. here in the Council Chambers in regards to the Firing Range. We will be going over what needs to be done next. Fisher & Arnold will be here to explain a lot of the things that they have already unveiled and what needs to be done in the future.

Mayor Perrin said that on our major ditches, the council approved a \$1.6 million expenditure to take care of the larger ditches on the stabilization and channelization. At the Department Head meeting this past Monday, Street Superintendent Steve Tippitt reported that would be done at the end of this month. Mayor Perrin stated that was good since the rainy season is about upon us.

On rezoning, Mayor Perrin said he asked our City Planner Derrel Smith to look at our ordinances. He has had a chance to review all of those and check with other cities and compare those which will tie back to zoning. I have asked him to make a presentation at the next council meeting to do that. Some of the things we were asking about tonight will be in that presentation. One of the things that came up was notification of the school districts, particularly certified receipt requested to the School Board President as well as the Superintendent. There is a lot of things particularly on these houses where there is none or very little landscaping that is done on some of these. He is going to have a lot of things to show you on that report. He will have it laid out on what it is in Jonesboro and what he is sharing and recommending for you all to study. He will give you a hard copy of that and you can take it with you.

Councilman Frierson asked when he was going to give out the hard copy. Can he give it before he makes his oral presentation? Mayor Perrin said he would be happy to do that. Councilman Frierson said that it would be a good idea to look it over before that meeting. Mayor Perrin said he just got an executive summary, but that got him to thinking about a lot of things.

COM-16:087

Airport financial report for September, 2016

Attachments: [Financial Report](#)

This item was Filed.

9. CITY COUNCIL REPORTS

Councilman Street said he was excited to hear about the Firing Range that is moving forward. He asked if there was some kind of bat study that had to be done. Mayor Perrin said he thought the bat study had been done already. Chief Elliott said they are waiting on a few things, but they are about done. He said the hearing on Monday is part of the process they have to have. Councilman Street said he knows people in the community who are real excited about it. He said he gets questions all of the time on it and he can't answer them. He said he is looking forward to it himself.

Councilman Johnson stated that they passed the Police Plan last month and we said we would try to get everyone else taken care of in the next several weeks and I think we have accomplished that. He said I think we have a great bunch of employees and I'm glad that we are finally able to compensate them.

Councilman Long said he was looking at the roundabout. He drives by it every day on his way home. He wants to see where we are on that. I can see that it is moving forward and there is chat being pulled and pushed. Where do you think we will be by the end of the year? Mayor Perrin said he is not an engineer, but he said he could see some work being done. He said that they would go out tomorrow and check with the Highway Department Inspector to see where they are on it and I can give you a good report on that. It is moving much faster than it was. Councilman Long asked if he could see the plans on the roundabout. Mayor Perrin said he would send something to him.

Councilman Burton wanted to remind everyone of the Nominating & Rules Committee meeting scheduled for Tuesday, October 25th at 5:00 p.m. to discuss and finalize the council rules, specifically regarding some of the zoning issues. He said that Councilman Dover has put together a markup and I will try to send that out to everyone by the end of this week. Councilman Burton said if there are any issues, he would like some feedback.

Councilman Burton said there is another issue and he has some neighbors here to speak about it. The subdivision behind Wyattwood and behind Ridge Run. There is a retention pond that is there. The question is where that backs up to the people who live in Ridge Run, it's backed up pretty close to their land and where the drainage easement is, but it has blocked that water from getting out of there. Engineering has said and I believe what was said at the Ward meeting is that they are supposed to cut somehow and channel that water into that retention pond. It hasn't been done yet so I was wondering if we could get a timeframe or make sure that is still on because these people are worried that they are one major event away from being flooded. Mayor Perrin stated that they would get with the Developer to see what is going on. He said we understand the concerns and they will be out there tomorrow to check on it.

Councilwoman Williams wanted to mention as a follow up to the sidewalk waivers being granted in site plans. She knows Ms. Duncan has been drafting something in that regards. Councilwoman Williams just wanted to follow up on that because she had noticed that waivers are being granted almost automatically anytime they are requested and she has an issue with that. City Planner Derrel Smith said he has gotten with Ms. Duncan on that and he has a draft drawn up that he will forward to her. Ms. Duncan had a different idea as far as a sidewalk fee instead of a bond. Part of it is just language in which she was putting that together and we will hopefully have something for you on that soon.

Ms. Duncan stated that they wanted to do some research about it being an upfront fee that you pay into a fund where there is an estimate to what we believe it will cost to put sidewalks there and you can choose to do that yourself and pay the price or you can pay that amount into a sidewalk fee that the city would have to use on sidewalks across the city. She said we are doing some research on it to make sure and on how it should function and how it will work. Councilwoman Williams asked if a waiver would stay in place. Mr. Smith said that is what we are trying to change to no longer having a waiver. Mayor Perrin said you will see that in some of the changes that we are going to send to you. There are a lot of things that can be used for connectivity.

Councilman Moore stated that Councilwoman Williams's questions covered the issues he had to address.

Councilman Coleman stated he would like to thank Parks Director Wixson Huffstetler

on the work that has been done on the Lion's Club Park. He said they did a heck of a job getting that set up for the National Night Out.

Councilman Moore asked Mayor Perrin to mention the gazebo at CWL Park with the West End Association.

10. PUBLIC COMMENTS

Larry Jackson, Employee Representative Committee Chair, wanted to thank the council and everyone for all of the work they have done. The basketball court is level. The football field has a crown to it so the water will drain off it. The employees have talked about it and feel they are on a level playing field and are very appreciative of the pay plan work.

Harold Carter, 902 Tony Drive, wanted to say something about Mr. McAlroy's rezoning issues. The multifamily dwelling zoning has been studied by the city. He doesn't see anything that is being done to avoid building too many multifamily dwellings in certain school districts. My observation is that these apartments in Jonesboro are unequally distributed in certain school districts and in certain parts of the city. My question is what is going to be done about this? It's one thing to sit around and talk about it, but it's another thing to take action to say this is not sensible to look at as it develops further and further so what are we going to do? Is the city going to do anything about this?

Mayor Perrin stated that the city put a moratorium on building multifamily housing developments and studied it. There are already many areas that are in the master land use plan that are zoned multifamily. MAPC needs to take a look at that on rezoning, but that is driven basically by private enterprise. When we took the moratorium off, it opened it up to private industry. The people on the Master Land Use Plan, the Master Street Plan, and MAPC will have to take a look at that. Councilman Dover stated that as we look at our zoning requirement variables, we are looking at putting something in there about the percentage of multifamily housing in certain school districts which will then allow us to use as a criteria to base a decision on.

Mr. Carter said if it's a legal matter and can't be changed, then it can't be changed and I'll quit thinking about it. The situation as described is pretty undesirable. Mayor Perrin stated that he understands, but until you have something on the books that restricts that, then it's open for rezoning and development. He said there is nothing on the books and no moratorium to stop multifamily housing development in Jonesboro.

11. ADJOURNMENT

A motion was made by Councilman Mitch Johnson, seconded by Councilman John Street, that this meeting be Adjourned . The motion PASSED with the following vote.

Aye: 12 - Darrel Dover; Ann Williams; Charles Frierson; Chris Moore; John Street; Mitch Johnson; Gene Vance; Chris Gibson; Rennell Woods; Charles Coleman; Todd Burton and Robert Long

_____ **Date:** _____

Harold Perrin, Mayor

Attest:

_____ **Date:** _____

Donna Jackson, City Clerk