



City of Jonesboro

300 S. Church Street
Jonesboro, AR 72401

Meeting Minutes City Council

Tuesday, February 18, 2014

5:30 PM

Municipal Center

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

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NOMINATING & RULES COMMITTEE MEETING AT 5:05 P.M.

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

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2. PLEDGE OF ALLEGIANCE AND INVOCATION

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3. ROLL CALL BY CITY CLERK DONNA JACKSON

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Present 10 - Darrel Dover; Ann Williams; Charles Frierson; Chris Moore; Mitch Johnson; Tim McCall; Gene Vance; Chris Gibson; Rennell Woods and Charles Coleman

Present 10 - Darrel Dover; Ann Williams; Charles Frierson; Chris Moore; Mitch Johnson; Tim McCall; Gene Vance; Chris Gibson; Rennell Woods and Charles Coleman

Absent 1 - John Street

Absent 1 - John Street

4. SPECIAL PRESENTATIONS

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COM-14:011

Proclamation presented by Mayor Harold Perrin to the Annie Camp East Lab

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Sponsors: Mayor's Office

Councilman McCall presented the Annie Camp East Lab with a proclamation for their work with the Downtown Jonesboro Barbecue Fest in 2013. He noted about 40 students work all day during the Barbecue Fest. They were able to raise money

through the sale of Pepsi products in order to donate the money to a local charity. He presented Ms. Vicki Pillow from the Northeast Arkansas Food Bank with a little over \$1,000 in donations from the Pepsi product sale. Mayor Perrin thanked the Annie Camp East Lab for their work.

This item was Read.

COM-14:017

City of Distinction Award presented by Paul Phillips to the Mayor and City Council members

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Sponsors: Mayor's Office

Mr. Phillips, Senior Managing Director at Crews & Associates who are the presenting sponsor of the City of Distinction Award, presented Mayor Perrin with the award. He explained the award is a competition that is designed to award outstanding initiatives and achievements by cities throughout the state. The winners are determined by an independent panel of judges and are announced at the Municipal League's Winter Conference. Jonesboro was recognized this year for efforts with Quality of Life.

This item was Read.

5. CONSENT AGENDA

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Approval of the Consent Agenda

A motion was made by Councilman Chris Moore, seconded by Councilman Chris Gibson, to Approve the Consent Agenda. The motioned PASSED

Aye: 10 - Darrel Dover; Ann Williams; Charles Frierson; Chris Moore; Mitch Johnson; Tim McCall; Gene Vance; Chris Gibson; Rennell Woods and Charles Coleman

Absent: 1 - John Street

MIN-14:012

Minutes for the City Council meeting on February 6, 2014

[play video](#)

Attachments: [Minutes](#)

This item was PASSED on the consent agenda.

RES-14:010

RESOLUTION NAMING JUDGES, CLERKS AND ALTERNATE WORKERS TO SERVE IN THE CITY WATER AND LIGHT ELECTION ON FEBRUARY 20, 2014

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This item was PASSED on the consent agenda.

Enactment No: R-EN-018-2014

6. NEW BUSINESS

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ORDINANCES ON FIRST READING

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ORD-14:003

AN ORDINANCE TO AMEND CHAPTER 117, SECTION 117-32, OF THE CODE OF ORDINANCES OF THE CITY OF JONESBORO, ARKANSAS, TO CLARIFY THE APPEAL PROCESS FOR ADMINISTRATIVE SITE PLAN REVIEWS BY THE METROPOLITAN AREA PLANNING COMMISSION, AND DECLARING AN EMERGENCY TO UPDATE THE EXISTING ORDINANCES FOR THE PURPOSE OF PROMOTING AND ACCOMMODATING SOUND GROWTH WITHIN THE DEVELOPMENT COMMUNITY

[play video](#)

Sponsors: Planning

Attachments: [MEMO Site Plan Appeal Text Amendment PublicWorks](#)

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

This ordinance was Held at one reading.

RESOLUTIONS TO BE INTRODUCED

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RES-13:202

RESOLUTION TO SET A PUBLIC HEARING TO ABANDON THE 10' ALLEY LYING NORTH OF LOT 7 AND PART OF LOT 6 OF GAMBILL'S ADDITION AS REQUESTED BY DON LATOURETTE

[play video](#)

Attachments: [Exhibit-A Compilation Map](#)
[Resolution, Ordinance, Petition](#)
[Engineering letter](#)
[Planning Letter](#)

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

Aye: 10 - Darrel Dover;Ann Williams;Charles Frierson;Chris Moore;Mitch Johnson;Tim McCall;Gene Vance;Chris Gibson;Rennell Woods and Charles Coleman

Absent: 1 - John Street

Enactment No: R-EN-016-2014

RES-14:009

RESOLUTION TO SET A PUBLIC HEARING REGARDING THE ABANDONMENT OF AN ALLEYWAY ON ELDRIDGE STREET AS REQUESTED BY GRACE BAPTIST CHURCH

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Attachments: [Plat](#)
[Utility Letters](#)
[Planning Letter](#)
[Engineering Letter](#)
[Petition](#)

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

Aye: 10 - Darrel Dover;Ann Williams;Charles Frierson;Chris Moore;Mitch Johnson;Tim McCall;Gene Vance;Chris Gibson;Rennell Woods and Charles Coleman

Absent: 1 - John Street

Enactment No: R-EN-017-2014

7. UNFINISHED BUSINESS

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8. MAYOR'S REPORTS

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COM-14:018 State of the City Address presented by Mayor Perrin

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Sponsors: Mayor's Office

Attachments: [2014 State of the City](#)

This item was Read.

9. CITY COUNCIL REPORTS

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Councilman Woods congratulated the City on the Quality of Life award. He also stated he is anxious to see the presentation by Parks Director Wixson Huffstetler at the next Council meeting to see what he is planning for the parks.

Councilman McCall explained there has been a lot of discussion recently concerning the current vacancy on the City Council. The Nominating & Rules Committee decided earlier tonight to reconsider a decision that was made at the last meeting. They voted to ask the City Attorney's Office to prepare a resolution for the next Council meeting to proceed with a special election to fill the vacancy. They will also have a resolution at the next meeting to change the City's rules and procedures concerning future vacancies. Councilman McCall stated they hope to have the special election on the day of the primary election in May in order to save the City money. Assistant City Attorney Carol Duncan noted she thinks they will be able to put everything together before then in order to get everything together for the primary election. Councilman

McCall thanked Assistant City Attorney Duncan for her work to help with this.

Councilman Frierson motioned, seconded by Councilman Coleman, to authorize proceeding with the special election. All voted aye.

Councilman Moore asked that the Highway Department be asked to install a guardrail on Parker Road just west of JT White where the edge of the road falls into the culvert. Mayor Perrin stated he will write a letter to the Highway Department tomorrow concerning the issue.

COM-14:023

Resolution from the Sage Meadows Property Owner's Association as presented by Councilman Gibson at the meeting on February 18, 2014

Attachments: [Resolution](#)

Councilman Gibson presented the Council with a resolution that he was asked to give to the Council from the Sage Meadows Property Owners Board. He read the resolution. He added the case has been handed off to APERMA, but he thinks the Sage Meadows property owners have a right to due process. He asked the Mayor to contact APERMA to see what can be done to make something happen. Councilman Frierson stated he doesn't think it's the City's obligation to move the case forward; rather, it should be the plaintiff's obligation to move things forward. He added he doesn't think the City has done anything improper by waiting for something to happen. He questioned whether or not it's the plaintiff's responsibility to request a hearing. Assistant City Attorney Duncan agreed, but added that she is not aware of another situation where a temporary injunction was issued without a court date being set for the hearing of a final injunction. She stated that is an unusual situation. Councilman Frierson further explained that it is the plaintiff's responsibility to request that hearing, not the City's. Assistant City Attorney Duncan stated she would agree, but she doesn't know what incentive the plaintiff would have to agree to a hearing because the injunction benefits them. Councilman Johnson asked for a further legal opinion concerning the issue. Assistant City Attorney Duncan noted their office is not handling the case and she does live at Sage Meadows; however, their office's opinion is to defend the process no matter what the final outcome is. But, ultimately the choice is up to the APERMA attorney's. Mayor Perrin stated he will contact APERMA and get back with the Council at the next meeting.

This item was Read.

Councilman Moore asked for an update on the Envisions night club. Police Chief Michael Yates explained in November, 2013, an individual died as a result of a gunshot wound in the parking lot of Envisions. He stated that Envisions owner Reggie Prunty indicated in a letter to the editor in the Jonesboro Sun that Envisions had passed all of its reviews by the Alcoholic Beverage Control Department since 1993 without any major violations or penalties. Chief Yates stated in Mr. Prunty has been fined for serving alcohol to minors and has had other incidents happen in the club, including fighting, patrons drinking in the parking lot, as well as other incidents. He added all of the incidents were documented and sent to the ABC Board, but only three times have they been found guilty. He stated the City will have to decide how to deal with the issues. He added Envisions is six times more likely to ask for police assistance than any other establishment in the City and is open longer hours than what Mr. Prunty has indicated. Chief Yates explained in 2009 a police officer worked at Envisions doing security work during his off hours with his written approval, but after one night decided he didn't want to go back. He added in 2010, Mr. Prunty

received a protection order to keep the police off his premises. He stated Mr. Prunty can't have it both ways. Chief Yates further explained his job is to collect the facts and make sure his officers enforce the law regardless of who it is. He noted the time has come and is long overdue to decide what is going to be done with Envisions. He has talked with the ABC Board, but it was indicated to him that they were under the impression Envisions was closed and Mr. Prunty was going to surrender his license. He has not been able to get a response from the ABC Board since then. He said he's comfortable with waiting for the ABC Board to take action, if needed. He warned that someone else will lose their life at this location if things continue as they are.

Councilman Moore expressed concern that the City was quick to take action with the Eagles and Brickhouse over relatively minor injuries at those respective locations. He noted the City has been waiting since November concerning the shooting at Envisions. He stated the City is independent of the ABC Board and questioned why the City hasn't moved forward with some sort of action. Chief Yates noted the ABC Board rules and regulations state the establishments are responsible for what happens in their parking lot. Councilman Moore recommended coming up with a procedure to provide some continuity as to how the City will handle incidents of a serious nature at private clubs. Mayor Perrin stated he will write a letter tomorrow to Mr. Langley, Director of the ABC Board, to see why Chief Yates' request has not been responded to.

10. PUBLIC COMMENTS

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Mr. Harold Carter, 902 Tony Drive, stated he has asked for a list of all City meetings that are open to the public. He noted at one time something was entered, but the list he got off the website is partial and is dated. He explained he would like an updated list. He isn't sure if the committees on the list are still meeting. He asked for a complete, current list of all bodies and their meeting times. He further explained that he has become aware of MAPC meetings that happen before their regular meetings. He questioned whether they were open to the public and how, if they are open to the public, people are supposed to find out about them in order to attend. He reiterated his request that the City publish a complete list of all the meetings, including times, locations and dates of the meetings. Mayor Perrin thanked Mr. Carter for his request. He explained those committees on the list need to be updated from year to year. He will get Mr. Carter an updated list tomorrow. He also noted that the pre-MAPC meeting Mr. Carter mentioned is between staff members, but the MAPC members are invited to attend. Mayor Perrin stated the City will have a new website hopefully in June or July that will have all of the information Mr. Carter is asking for.

11. ADJOURNMENT

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A motion was made by Councilman Chris Moore, seconded by Councilwoman Ann Williams, that this meeting be Adjourned . The motion PASSED with the following vote.

Aye: 10 - Darrel Dover; Ann Williams; Charles Frierson; Chris Moore; Mitch Johnson; Tim McCall; Gene Vance; Chris Gibson; Rennell Woods and Charles Coleman

Absent: 1 - John Street

_____ Date: _____

Harold Perrin, Mayor

Attest:

_____ Date: _____

Donna Jackson, City Clerk