



City of Jonesboro

Municipal Center
300 S. Church Street
Jonesboro, AR 72401

Meeting Minutes City Council

Tuesday, June 7, 2016

5:30 PM

Municipal Center

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

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PUBLIC HEARING AT 5:25 P.M.

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Regarding the abandonment of an undeveloped, erroneous easement in Lot 9 of Windover Gardens as requested by Guy Patteson

No one spoke in opposition to the abandonment.

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

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2. PLEDGE OF ALLEGIANCE AND INVOCATION

[play video](#)

3. ROLL CALL BY CITY CLERK DONNA JACKSON

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Present 11 - Darrel Dover; Ann Williams; Charles Frierson; Chris Moore; John Street; Mitch Johnson; Gene Vance; Chris Gibson; Rennell Woods; Charles Coleman and Todd Burton

4. SPECIAL PRESENTATIONS

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COM-16:034

Financial Report presentation by Suzanne Allen, Chief Financial Officer

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Sponsors: Finance and Mayor's Office

Attachments: [Capital Expenditures for 2016](#)
[Capital Improvement Projects](#)

Mayor Perrin explained he asked Chief Financial Officer Suzanne Allen to detail the reserve fund account because many people think the city has a large balance. But, in reality, those funds are to be used for projects in the future. Ms. Allen detailed the status and expectations of the city's reserve fund. She noted ordinance requires the city to keep 15% of budgeted expenditures to be kept in reserves. The city is not building the reserve balance anymore because it no longer has an ordinance allowing for the transfer of money into the Capital Improvement Fund and the Public Safety Tax hit its sunset clause in 2014 for a loss of \$7 million per year. In order to pay for capital improvements, the city must transfer money from the General Fund into the Capital Improvement Fund each year. The city is budgeted to be able to put \$1.75 million to \$2.25 million to the Capital Improvement Fund each year.

Ms. Allen explained over the next five years, including 2016, the city is expected to receive \$90 million from the State Highway Department for road work, but in return the city has to earmark \$8.5 million in order to pay for the city's share of those projects. Councilman Dover asked how the \$90 million compares to previous years. Mayor Perrin stated the city usually just gets turnback money, so the city has never received anything like this before. The money typically goes to other areas, such as northwest Arkansas. In addition, if the city doesn't earmark the \$8.5 million, then the \$90 million will be lost due to a participation agreement.

Councilman Dover asked about the \$1.9 million to be used for ditch cleaning. Mayor Perrin explained that is related to the recent flooding in the city. They are bidding out work for mowing, bank stabilization and capacity improvements for the ditches. Bids will go out Thursday and are to be opened on May 20th. He anticipates more than one company will be needed in order to get the work done. The \$1.9 million is the expected cost of hiring those companies.

Further discussion was held concerning allocations for the reserve fund.

Ms. Allen stated at the end of 2017 they are expecting \$190,100 above the required reserve fund balance. She further noted the only money going into the fund would be the \$1.75 million to \$2.25 million as stated earlier. Councilman Vance explained the \$2.25 million would be going into the General Fund and would only be transferred if the Council chose to do so. But, if the General Fund expenses increased then the money may not be able to be transferred. Mayor Perrin agreed.

Councilman Street stated the \$8.5 million would be for projects through the 2020 STIP Program. He asked when the money would actually be expended. Mayor Perrin explained by 2020 the projects will be under contract, but the \$8.5 million will still need to be encumbered and earmarked for future spending.

Councilman Woods asked if the budget included the \$1 million worth of raises that was given out earlier this year. Mayor Perrin answered no, that will be included in the cleanup ordinance for the 2016 budget.

This item was Read.

5. CONSENT AGENDA

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MIN-16:059

Minutes for the City Council meeting on May 17, 2016

[play video](#)

Attachments: [Minutes](#)

This item was APPROVED on the consent agenda.

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

RES-16:051

A RESOLUTION TO THE CITY OF JONESBORO TO AUTHORIZE THE MAYOR AND CITY CLERK TO ENTER INTO AN ENTRY AND TESTING AGREEMENT WITH SBA TOWERS IX LLC

[play video](#)

Sponsors: Engineering and E911

Attachments: [Entry and Testing Agreement](#)

This item was APPROVED on the consent agenda.

Enactment No: R-EN-060-2016

RES-16:066

A RESOLUTION AUTHORIZING THE ENTRY INTO AN AGREEMENT TO ISSUE BONDS FOR THE PURPOSE OF ASSISTING IN THE FINANCING OF INDUSTRIAL FACILITIES WITHIN THE CITY OF JONESBORO, ARKANSAS, TO BE LEASED TO FMH CONVEYORS LLC, PURSUANT TO THE AUTHORITY OF THE LAWS OF THE STATE OF ARKANSAS, INCLUDING PARTICULARLY AMENDMENT 65 TO THE ARKANSAS CONSTITUTION AND THE MUNICIPALITIES AND COUNTIES INDUSTRIAL DEVELOPMENT REVENUE BOND LAW.

[play video](#)

Attachments: [Exhibit A - Agreement to Issue Bonds](#)
[PILOT Agreement](#)

This item was APPROVED on the consent agenda.

Enactment No: R-EN-061-2016

RES-16:070

A RESOLUTION TO CONTRACT WITH FAIRFIELD INN AND SUITES FOR SPONSORSHIP OF A OUTFIELD SIGN AT SOUTHSIDE SOFTBALL COMPLEX

[play video](#)

Sponsors: Parks & Recreation

Attachments: [Fairfield Inn and Suites 2016.pdf](#)

This item was APPROVED on the consent agenda.

Enactment No: R-EN-062-2016

RES-16:071

A RESOLUTION TO CONTRACT WITH PEPSI BEVERAGES COMPANY FOR SPONSORSHIP OF FIELDS AND EXCLUSIVE POURING RIGHTS AT JOE MACK CAMPBELL PARK

[play video](#)

Sponsors: Parks & Recreation

Attachments: [Joe Mack Pepsi Contract.pdf](#)

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

Enactment No: R-EN-063-2016

6. NEW BUSINESS

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ORDINANCES ON FIRST READING

[play video](#)

ORD-16:029

AN ORDINANCE AUTHORIZING THE CITY OF JONESBORO TO AMEND THE 2016 BUDGET TO ADD ONE NEW SRO POSITION TO VALLEY VIEW SCHOOL DISTRICT

[play video](#)

Sponsors: Finance and Police Department

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

Councilman Street asked if the ordinance needed to be approved tonight. Police Chief Rick Elliott answered no, they aren't going to hire the position until August.

A motion was made by Councilman John Street, seconded by Councilman Gene Vance, that this matter be Waived Second Reading . The motion PASSED with the following vote.

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

ORD-16:030

AN ORDINANCE ABANDONING AND VACATING PARTS OF UNUSED AND ERRONEOUS SWB EASEMENT LOCATED IN LOT 9 OF WINDOVER GARDENS AS REQUESTED BY GUY PATTESON

[play video](#)

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

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

Councilman Street asked if everyone signed off on the abandonment. City Planner Otis Spriggs answered yes.

Councilman Street motioned, seconded by Councilwoman Williams, to suspend the rules and waive the second and third readings. 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: 11 - Darrel Dover;Ann Williams;Charles Frierson;Chris Moore;John Street;Mitch Johnson;Gene Vance;Chris Gibson;Rennell Woods;Charles Coleman and Todd Burton

Enactment No: O-EN-025-2016

7. UNFINISHED BUSINESS

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ORDINANCES ON THIRD READING

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ORD-16:027

AN ORDINANCE TO AMEND CHAPTER 117, KNOWN AS THE ZONING ORDINANCE PROVIDING FOR CHANGES IN ZONING BOUNDARIES FROM R-1 TO C-4 LUO FOR PROPERTY LOCATED AT 1400-1410 EAST HIGHLAND AS REQUESTED BY ROUNDTABLE HOLDINGS, LLC

[play video](#)

Attachments: [Plat](#)
[Planning Dept. Staff Report](#)

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

Enactment No: O-EN-026-2016

ORD-16:028

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 1822 OLD GREENSBORO ROAD AS REQUESTED BY TERRY TROTTER

[play video](#)

Attachments: [Plat](#)
[Planning Dept. Staff Report](#)

A motion was made by Councilman Darrel Dover, seconded by Councilman Rennell Woods, 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;Chris Gibson;Rennell Woods;Charles Coleman and Todd Burton

Enactment No: O-EN-027-2016

8. MAYOR'S REPORTS

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Mayor Perrin reported on the following items:

Permit collections was down due to the weather. The city took in a total of \$9.5 million with 67% of that being residential and 33% being commercial.

8 demolitions took place in May, 1 demolition by the city and 3 renovations by the owners. 5 condemnations are pending and will be brought before Council in the future.

The city has done 11 miles of striping this year. They are behind due to the weather.

The Winter Wonderland roof is complete.

The city closed on the property at 3007 Dan Avenue. It is adjacent to the Parks Department. The structure on the property will be torn down and a new one built for storage for the Cemetery Department.

The Mt. Dew Classic Tournament was rained out and re-scheduled to July 30th.

They have informed Matt Sagely, a grants consultant contracted with the city, the city will move from a monthly fee for his services to an hourly fee. Mr. Sagely has been helpful getting contacts from the city, but the city can use other consultants in order to save money.

Since January 1, the Grants Department has written 11 applications for over \$20 million in grants. Of those, they have sent in \$18 million.

Ms. Allen, Parks Director Wixson Huffstetler, and Finance Office Manager Trever Harvey met with the citizens who would like a dog park at Craighead Forest. The city has opened up an account for them. They will have a website established in order to get funds raised.

The trail at Craighead Forest has asphalt down on Phase I. They have sent in a grant for Phase 3 in order to complete the trail.

The operations director position is currently open. They have received 40 applications and are reviewing them.

COM-16:039

Maps of flooding calls and surrounding drainage districts as provided to the City Council by Mayor Perrin at the Council meeting on June 7, 2016

Attachments: [Drainage maps](#)

He presented the Council with two maps concerning flooding calls and surrounding drainage districts. He stated the city received over 625 calls with over 300 homes being flooded in the recent rain. The map will be changed as more information comes in. The maps will be put on the website for public viewing.

The city will have 56 miles of ditches mowed with ditch stabilization and capacity improvements included. They anticipate the cost of the contracts to be \$1.9 million. Bids will go out Thursday and open on June 20th. The contracts will be taken to the Public Works Committee. This will give the Street Department time to work on box culverts, as they are currently behind on work orders due to the flood. He will be meeting with the Corps of Engineers on Friday as well.

He thanked the Fire, 911, Police, Street, Sanitation, Engineering and Parks Departments for their work during the flood. He explained during the flooding event citizens were going around barricades and fire trucks. He asked for citizens to not go around them for public safety. He also thanked JETS for transporting affected citizens around the city.

This item was Filed.

9. CITY COUNCIL REPORTS

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Councilman Street commended the city's response to the recent flooding.

Councilman Street motioned, seconded by Councilman Johnson, to suspend the rules and place RES-16:072 on the agenda. All voted aye.

RES-16:072

A RESOLUTION TO THE CITY OF JONESBORO, ARKANSAS TO ENTER INTO AN AGREEMENT WITH FISHER & ARNOLD, INC. TO PERFORM PROFESSIONAL ENGINEERING SERVICES

Sponsors: Engineering

Attachments: [Proposal](#)

A motion was made by Councilman John Street, seconded by Councilwoman Ann Williams, 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;Chris Gibson;Rennell Woods;Charles Coleman and Todd Burton

Enactment No: R-EN-064-2016

Councilman Moore thanked the Mayor for meeting with Jimmy Adcox and the group from Southwest Church of Christ regarding the homeless problem.

He then asked for an update concerning the condemnation to the old ice house on Cate Street. City Attorney Carol Duncan explained the property owners appealed the condemnation to Circuit Court, but failed to file any paperwork. The city then asked for and was granted a motion to dismiss. The property owners have since appealed the motion to dismiss to the Court of Appeals. The notice has been filed. The Court of Appeals has set a timeline for briefs to be filed. The property owners will have 30 days and then the city will be able to respond. She has heard there are some students from ASU trying to get that property on the national registry. But, she was informed by Code Enforcement today that had already been attempted and the property was turned down. If and when they find any documentation concerning that, they will let the students know. Councilman Moore asked if the property owners had any real legal basis to file an appeal to the Court of Appeals. City Attorney Duncan answered she doesn't know, but if history repeats itself then there's a chance the property owners won't even file anything. If they don't, then the city will file for another motion to dismiss.

Councilman Moore noted he will be out at the next City Council meeting.

10. PUBLIC COMMENTS

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Gary Lasley, 307 W. Gordon, stated he has been able to find affordable flood insurance and asked for help. He explained he has found some flood insurance, but the companies want the payment up front with the cost being \$800 to \$1,200. He added he has been having problems with the alley behind his house because it has become overgrown. He has spoken with Code Enforcement, but was informed the city turned the alley over to the property owners. Mayor Perrin asked for City Engineer Craig Light to check on the alley. He has also asked Communications Director Bill Campbell to look at flood insurance rates.

Phillip Cook, 5216 Richardson Drive, asked how much of the area that was recently flooded is in the flood plain. Mr. Light explained the whole city is in some sort of flood zone. There are three levels, A, AE and X. AE and A zones are considered flood hazard areas where if you have a federally backed mortgage you are required to have flood insurance. He reiterated the whole city is in the flood zone, making everyone available to receive flood insurance including renters.

Amanda & Keith Arnault, 5713 E. Nettleton, stated they have flooded twice this year, three times since November. She asked if there's anything in place to try to help alleviate the problem. They have flood insurance, but keep having to rebuild. They have been displaced from their house since March 27th. Mr. Light explained the city replaced a structure on Ingels Road, but the drainage structures in the area belong to Burlington Northern Railroad and the Highway Department. They are contacting those entities about improving those facilities in those corridors. He noted the Arnault's whole property was under water, as well as Little Bay Ditch and surrounding areas. He added that is a special flood area and is a repetitive loss area. There are available programs, including the ICC Program with FEMA. When the hazard mitigation plan is finalized, other programs and grant monies will be available. Mayor Perrin stated Mr. Light will meet with them tomorrow to discuss their options. The city is waiting on the county regarding the mitigation plan.

Lauren Adams, 1316 Kitchen Street, explained a retention pond overflowed into her property. They experienced 100% loss and did not have flood insurance. Their homeowners insurance will not cover the damages. She noted she doesn't have just flood waters damaging her property, but also raw sewage. Mayor Perrin stated they are waiting on the governor to declare the area a disaster to help with financial aid. There will be two types of aid, one being for individuals. He doesn't know what that individual aid will cover. He noted there are three or four homes in that area the city needs to look at because it is repetitive flooding. Ms. Adams added their home was built six inches below the sewer level, so anytime there is a heavy rain if they don't go into their backyard and block the back flow preventer and let the raw sewage come into their front yard, then it will go into the home.

11. ADJOURNMENT

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

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

_____ **Date:** _____

Harold Perrin, Mayor

Attest:

_____ **Date:** _____

Donna Jackson, City Clerk