



City of Jonesboro

900 West Monroe
Jonesboro, AR 72401

Meeting Minutes City Council

Tuesday, August 16, 2011

6:30 PM

Huntington Building

PUBLIC SAFETY COMMITTEE MEETING AT 5:30 P.M.

NOMINATING & RULES COMMITTEE MEETING AT 6:15 P.M.

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

2. PLEDGE OF ALLEGIANCE AND INVOCATION

3. ROLL CALL BY CITY CLERK DONNA JACKSON

Present 11 - Darrel Dover; Ann Williams; Charles Frierson; Chris Moore; John Street; Mitch Johnson; Tim McCall; Gene Vance; Rennell Woods; Mikel Fears and Charles Coleman

Absent 1 - Chris Gibson

4. SPECIAL PRESENTATIONS

5. CONSENT AGENDA

Approval of the Consent Agenda

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

Aye: 11 - Darrel Dover; Ann Williams; Charles Frierson; Chris Moore; John Street; Mitch Johnson; Tim McCall; Gene Vance; Rennell Woods; Mikel Fears and Charles Coleman

Absent: 1 - Chris Gibson

[MIN-11:067](#)

Minutes for the City Council meeting on August 2, 2011.

Attachments: [Minutes](#)

This item was PASSED on the consent agenda.

[RES-11:122](#)

A RESOLUTION EXPRESSING THE WILLINGNESS OF THE CITY OF JONESBORO TO UTILIZE FEDERAL-AID ENHANCEMENT FUNDS

Sponsors: Engineering

This item was PASSED on the consent agenda.

Enactment No: R-EN-090-2011

RES-11:124

A RESOLUTION TO THE CITY COUNCIL OF THE CITY OF JONESBORO, ARKANSAS ACCEPTING RIGHT-OF-WAY ACQUIRED FOR THE CARAWAY RD SAFETY ENHANCEMENT PROJECT - AHTD JOB NO. 100521

Sponsors: Engineering

Attachments: [Tract 7 - Kitterman Realty to City.pdf](#)
[Tract 8 - Jonesboro Country Club to City.pdf](#)
[Tract 9 - Jonesboro Real Estate Holdings Co to City.pdf](#)
[Tract 12 - Esther Lea Kitterman to City.pdf](#)
[Tract 13 - Jonesboro Real Estate Holdings Co to City.pdf](#)
[100521 Right-of-Way Map.pdf](#)

This item was PASSED on the consent agenda.

Enactment No: R-EN-091-2011

RES-11:125

A RESOLUTION TO THE CITY OF JONESBORO, ARKANSAS AUTHORIZING THE MAYOR AND CITY CLERK TO ACCEPT THIS EASEMENT AND RIGHT-OF-WAY FOR THE PURPOSE OF CONSTRUCTION OF A RAILROAD IN THE INDUSTRIAL PARK

Sponsors: Engineering

Attachments: [Easement and Right of Way.pdf](#)

This item was PASSED on the consent agenda.

Enactment No: R-EN-092-2011

RES-11:126

A RESOLUTION TO ACCEPT A MAINTENANCE AGREEMENT FOR STORMWATER MANAGEMENT FACILITIES FOR BARRINGTON PARK, PHASE 5, A RESIDENTIAL SUBDIVISION

Sponsors: Engineering

Attachments: [Maintenance Agreement.pdf](#)

This item was PASSED on the consent agenda.

Enactment No: R-EN-093-2011

RES-11:129

RESOLUTION TO REQUEST FREE UTILITY SERVICE FROM CITY WATER AND LIGHT FOR TRAFFIC SIGNALS

This item was PASSED on the consent agenda.

Enactment No: R-EN-094-2011

RES-11:130

A RESOLUTION TO CONTRACT WITH SUDDEN LINK COMMUNICATIONS FOR SPONSORSHIP OF BASEBALL FIELDS AT JOE MACK CAMPBELL PARK

Sponsors: Parks & Recreation

This item was PASSED on the consent agenda.

Enactment No: R-EN-095-2011

RES-11:132

A RESOLUTION TO THE CITY COUNCIL FOR THE CITY OF JONESBORO ACCEPTING A PERMANENT DRAINAGE EASEMENT AND AN AGREEMENT GRANTING AN EASEMENT.

Sponsors: Mayor's Office

Attachments: [Exhibit A Easement Agreement](#)
[Acknowledgement](#)

This item was PASSED on the consent agenda.

Enactment No: R-EN-096-2011

6. NEW BUSINESS

ORDINANCES ON FIRST READING

ORD-11:058

AN ORDINANCE ESTABLISHING AN ADOPT A STREAM PROGRAM AND ADOPTING GUIDELINES AND POLICES FOR PUBLIC PARTICIPATION IN LITTER REMOVAL FROM PUBLIC DRAINAGEWAYS IN THE CITY OF JONESBORO

Sponsors: Engineering

Attachments: [Adopt a Stream - Agreement.pdf](#)
[Adopt a Stream - Guidelines.pdf](#)
[Adopt a Stream - Policy Statement.pdf](#)

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

Mayor Perrin stated there was no hurry with this ordinance. Councilman Street asked for a brief discussion concerning the ordinance. City Engineer Craig Light explained this is identical to the Adopt A Street Program, but it's for drainageways. It is focused towards detention pond areas and will have to be approved by staff for someone to adopt it. He further explained they don't currently have any interested groups, but they wanted to get an ordinance in place in case anyone comes forward. He stated the detention ponds tend to collect litter and the group would clean up the detention ponds.

This ordinance was Held at one reading.

ORD-11:059

AN ORDINANCE TO AMEND SECTION 9.2 OF THE STORMWATER DRAINAGE DESIGN MANUAL WITH REGARDS TO NONRESIDENTIAL STRUCTURES IN ZONES AE, AH, AO, AND A

Sponsors: Engineering

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

Councilman Moore asked that the ordinance be held at one reading.

This ordinance was Held at one reading.

ORD-11:060

ORDINANCE AUTHORIZING A MEMBER OF THE JONESBORO CITY COUNCIL TO DO BUSINESS WITH THE CITY OF JONESBORO, ARKANSAS AND DECLARING AN EMERGENCY

Sponsors: Finance and Mayor's Office

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

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

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

A motion was made by Councilman Chris Moore, seconded by Councilman John Street, that this matter be Passed . The motion PASSED by a unanimous vote

Aye: 11 - Darrel Dover;Ann Williams;Charles Frierson;Chris Moore;John Street;Mitch Johnson;Tim McCall;Gene Vance;Rennell Woods;Mikel Fears and Charles Coleman

Absent: 1 - Chris Gibson

Enactment No: O-EN-044-2011

ORD-11:061

AN ORDINANCE TO WAIVE COMPETITIVE BIDDING AND AUTHORIZE PURCHASE OF FIBER OPTIC LINES TO CITY TOWER FOR THE FIRE DEPARTMENT.

Sponsors: Finance, E911, Fire Department and Information Systems

Attachments: [Fiber quote Tall Birch](#)
[Ritter Tall Birch T1 charges 07-25-2011](#)

Councilwoman Williams offered the ordinance for first reading by title only.

Councilman Moore asked for a brief update as to why this item has the emergency clause. Information Systems Director Erick Woodruff explained T1 lines currently exist at the tower, but need to be upgraded to fiber optic for the 911 Dispatch Center. He added the City has a five-year contract with Ritter for the T1 lines. 911 Director Jeff Presley stated the reason for the emergency is due to the T1 lines going out during certain weather events, such as heavy rain.

Councilman Coleman stated he doesn't have a problem with the ordinance, but the information needs to be in writing to make sure everyone is aware of the reasons for waiving bidding and the emergency clause. He asked for information to be put in writing.

Councilman Fears added he also has no problem with the ordinance or with it being an emergency. He explained his objection to the ordinance as discussed at a previous Finance meeting is due to it being bad practice to take the first quote given by a company without taking bids from other companies. He noted this is not the first time this has happened with the Information Systems Department.

Mr. Presley further explained the issues with the T1 lines got worse after they started adding equipment, which prohibited them from paging public safety officers. He noted a radio company out of Little Rock came up here to find out what was wrong with the

system and to pinpoint it to the T1 lines. Councilman Fears stated if T1 lines were going down enough to lose radios, then either Ritter or Mr. Woodruff should've known that and it shouldn't have taken a radio company from Little Rock to figure out the problem.

Mr. Woodruff explained the reason the City needs to upgrade to fiber optics is because T1 lines have proven to be unreliable, unsustainable and affected by weather issues. Councilman Fears then questioned why the City signed a contract for T1 lines if they are not reliable or sustainable. Mr. Woodruff answered is problems started after the contract was signed and the City started adding equipment to the lines.

Councilman Fears noted he has received several questions from individuals who were concerned about upgrading a system that was just put in place not long ago.

Councilman Moore motioned, seconded by Councilman Vance, to suspend the rules and waive second and third readings. All voted aye, with the exception of Councilman Fears who abstained from voting.

After passage of the ordinance, Councilman Moore motioned, seconded by Councilwoman Williams, to adopt the emergency clause. All voted aye, with the exception of Councilman Fears who abstained from voting.

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

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

Absent: 1 - Chris Gibson

Abstain: 1 - Mikel Fears

Enactment No: O-EN-045-2011

ORD-11:062

AN ORDINANCE TO AMEND CHAPTER 117, KNOWN AS THE ZONING ORDINANCE PROVIDING FOR CHANGES IN ZONING BOUNDARIES FROM R-1 TO C-3 FOR PROPERTY LOCATED AT 2216 SPENCE CIRCLE AS REQUESTED BY TOBY ALEXANDER

Attachments: [Plat](#)
[MAPC Report](#)

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

Councilman Moore questioned whether there was any opposition to the rezoning. Mayor Perrin answered no.

A motion was made by Councilman Chris Moore, seconded by Councilman Mitch Johnson, to Waive Second Reading . The motion PASSED by a unanimous vote

Aye: 11 - Darrel Dover; Ann Williams; Charles Frierson; Chris Moore; John Street; Mitch Johnson; Tim McCall; Gene Vance; Rennell Woods; Mikel Fears and Charles Coleman

Absent: 1 - Chris Gibson

7. UNFINISHED BUSINESS

ORDINANCES ON SECOND READING

[ORD-11:055](#) AN ORDINANCE AMENDING EXISTING AND ESTABLISHING NEW TRAFFIC REGULATIONS FOR THE CITY OF JONESBORO, ARKANSAS, AND PROVIDING FOR THE ADMINISTRATION AND ENFORCEMENT THEREOF

Sponsors: Police Department

This item was Held at second reading.

8. MAYOR'S REPORTS

[COM-11:064](#) Legal report as given by City Attorney Phillip Crego at the City Council meeting on August 16, 2011.

Attachments: [Legal Report](#)

City Attorney Crego explained the legal report looks good and the City has the fewest amount of pending lawsuits that he's seen in his tenure.

Concerning the Dr. Edwards case as listed in the APERMA update, City Attorney Crego stated the appeals court ruled in favor of the City. He added unless something has been filed since Monday, then the case should be speedily resolved. He noted the Prunty lawsuit has been continued and the trial has not been rescheduled.

Councilman Moore questioned whether the Country Garden Apartments lawsuit was against one person or the whole complex. City Attorney Crego stated it was against the whole complex and they are expecting a judgment at the trial on September 6.

This item was Read.

[COM-11:065](#) Financial reports as provided to the City Council at the meeting on August 16, 2011.

Attachments: [2011 Franchise Fees Period Comparison](#)
[2011 Hotel tax \(cash \)](#)
[2011 Hotel tax \(cash \) & Comparison Report](#)
[2011 July Expense](#)
[2011 July Revenues](#)
[2011 July State Turnback Budget Comparison](#)
[2011 Sales Tax Revenue - Cash Basis](#)
[2011 July State Turnback Comparison Report](#)
[Deposit Collateralization Report](#)
[July Public Safety Tax vs Expenditures](#)
[Required Reserves-7-31-11](#)
[Stmt of Rev Exp and Changes in FB-7-31-11](#)

Financial reports will be sent out via email tomorrow. O&M revenues are over expenses \$677,585 through July. Including other funds, revenues are over expenses by \$874,000 total. Total expenditures are over budget \$505,327. Revenues are over

budget \$1,840,328. The first seven months have gone very well concerning the budget.

This item was Read.

Mayor Perrin discussed the following items:

He will be attending an AML Executive Committee meeting starting tomorrow through Thursday in Harrison.

On September 22nd, he, along with Councilman Coleman, Grants Administrator Heather Clements and Grants Coordinator Emma Agnew will be attending meetings in Little Rock with two state agencies and the Rockefeller Foundation. The meetings tie back to CDBG funding.

9. CITY COUNCIL REPORTS

Councilman Street referred to the housing study and asked for it to be clarified. Mayor Perrin stated the City of Jonesboro is not paying for the housing study; rather, it will be paid for by the Residential Housing Board. The study is being done to work with the Chamber of Commerce and the Jonesboro 2030 Committee. He explained it will be a full, comprehensive housing study for the entire City. Councilman Street added it will assist when applying for grant funding.

Councilwoman Williams noted the Finance Committee meeting on Tuesday, August 23, will be starting at 3 p.m. at the Huntington Building.

Councilman Moore motioned, seconded by Councilman Street, to suspend the rules and add RES-11:105, RES-11:114 and RES-11:140 to the agenda. All voted aye.

RES-11:105

RESOLUTION TO FILL THE UNEXPIRED TERM OF GAYLE VICKERS ON THE COMPREHENSIVE PLANNING ADVISORY COMMISSION (CPAC) WITH AN EXPIRATION DATE OF DECEMBER 31, 2011

Sponsors: Mayor's Office

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

Aye: 11 - Darrel Dover;Ann Williams;Charles Frierson;Chris Moore;John Street;Mitch Johnson;Tim McCall;Gene Vance;Rennell Woods;Mikel Fears and Charles Coleman

Absent: 1 - Chris Gibson

Enactment No: R-EN-097-2011

RES-11:114

RESOLUTION TO FILL THE UNEXPIRED TERM OF KEN YARBROUGH ON THE CRAIGHEAD COUNTY SOLID WASTE DISPOSAL AUTHORITY WITH AN EXPIRATION DATE OF JULY 31, 2013

Sponsors: Mayor's Office

A motion was made by Councilman Chris Moore, seconded by Councilman John Street, that this matter be Passed . The motion PASSED by a unanimous

vote

Aye: 11 - Darrel Dover; Ann Williams; Charles Frierson; Chris Moore; John Street; Mitch Johnson; Tim McCall; Gene Vance; Rennell Woods; Mikel Fears and Charles Coleman

Absent: 1 - Chris Gibson

Enactment No: R-EN-098-2011

RES-11:140

A RESOLUTION TO MAKE APPOINTMENTS/REAPPOINTMENTS TO BOARDS AND COMMISSIONS AS RECOMMENDED BY MAYOR PERRIN

Sponsors: Mayor's Office

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

Aye: 11 - Darrel Dover; Ann Williams; Charles Frierson; Chris Moore; John Street; Mitch Johnson; Tim McCall; Gene Vance; Rennell Woods; Mikel Fears and Charles Coleman

Absent: 1 - Chris Gibson

Enactment No: R-EN-099-2011

Councilman Moore referred to the 33 acres of property the City will be receiving from Dr. Edwards. He recommended the Building Committee start looking into what the City can do with it. Mayor Perrin stated it will be added to the real estate book and there will be a Building Committee meeting to discuss the property.

Councilman Frierson motioned, seconded by Councilman Moore, to suspend the rules and add RES-11:138 to the agenda. All voted aye.

RES-11:138

A RESOLUTION TO PARTICIPATE UNDER THE 2012 ARKANSAS DEPARTMENT OF PARKS AND TOURISM'S OUTDOOR RECREATION GRANT PROGRAM

Sponsors: Grants

A motion was made by Councilman Charles Frierson, seconded by Councilman Rennell Woods, that this matter be Passed . The motion PASSED by a unanimous vote

Aye: 11 - Darrel Dover; Ann Williams; Charles Frierson; Chris Moore; John Street; Mitch Johnson; Tim McCall; Gene Vance; Rennell Woods; Mikel Fears and Charles Coleman

Absent: 1 - Chris Gibson

Enactment No: R-EN-100-2011

10. PUBLIC COMMENTS

Dr. Norman Stafford expressed concern over minorities in the public safety departments in the City. He noted less than 2% of the police force is African American and there is a similar situation in the Fire Department. He added there are also only a few Hispanics and females in the public safety departments. Councilman

Moore explained testing for fire and police takes place several times a year and that Dr. Stafford should encourage everyone to apply. Councilman Fears noted the testing for the Fire Department is performed by the Civil Service Commission, which is separate from City Council and the Mayor's Office. Dr. Stafford asked how minorities can be better represented. Councilman Moore recommended Dr. Stafford encourage more people to test. Councilman Fears noted the testing dates are advertised in the newspaper. Councilman Frierson also recommended the Fire and Police Chiefs discuss hiring polices at the next meeting in order to inform the public. Councilman Woods added it would be beneficial to also know how many African Americans and other minorities have applied for the positions.

Fire Chief Leonard Jadrich explained the Fire Department hiring process, stating there is six-weeks of advance notice with tests being on the first weekend of November. He noted applicants have to pass a physical agility test and a written test. He stated in the last ten years there has only been one female apply, two or three African Americans apply and there has never been a Hispanic person apply for a fire position. Chief Jadrich further explained about ten years ago they tried to recruit people in the Hispanic community because they were in need of individuals who speak Spanish, but they just didn't apply. He discussed the testing and added testing is similar for the Police Department, although they do not have a Civil Service system.

Councilman Johnson questioned whether the City has been pro-active concerning constructing facilities for females in the new fire houses. Chief Jadrich answered yes, the new fire stations have separate bathroom facilities and sleeping quarters for females. He added it's just difficult to get them to apply.

Ms. Felicia Parks questioned whether there is an affirmative action plan for the City and, if so, who is the affirmative action officer. Mayor Perrin answered yes, the City does have an affirmative action plan but he is unsure would the affirmative action officer would be. He added he thinks the person to speak with would be Human Resources Director Gloria Roark. He explained six months ago he hired an attorney from Little Rock, Carolyn Witherspoon, to bring all the City's policies up to date. He is hoping to present that to the Council in the near future. Ms. Parks then questioned whether there are any particular recruiting efforts for minorities in those particular departments, being Fire and Police. City Attorney Crego explained the Police Department does that and he recommended Ms. Roark also speak at the next meeting because she'll have answers to a lot of the questions.

Mr. Reginald Prunty questioned what the current recruitment strategies are for the Police and Fire Departments and in what ways do the application processes conform with federal guidelines for employment section procedures. He also questioned in what ways the Jonesboro recruitment policies have an adverse affect on the selection of minorities. He asked if there is something in place to recruit minorities. Mayor Perrin stated he thinks the City has that in place, but would like to defer the questions to Ms. Roark at the next meeting.

Councilman Moore stated all the policies aren't going to be helpful if people don't apply for the jobs. He asked that Mr. Prunty help the City by encouraging citizens to apply for the positions. Mr. Prunty stated he agreed. He added that people need to know they have an opportunity to be hired so they will be willing to apply.

Mr. John Gibson of Brookland commended the Fire Chief for his outreach to the Hispanic community. He stated Jonesboro could be an even greater community if it was more inclusive to all of the citizens for employment in the Police and Fire Departments. He explained the minority employment is extremely low, but there are

minority recruitments that can be duplicated in Jonesboro. He asked the City to call upon the local resources to make Jonesboro an even more wonderful community.

Councilman Woods reiterated Councilman Moore's comments and noted everyone has an opportunity to encourage the citizens to participate in the testing. Councilman Moore suggested Mr. Gibson, Ms. Parks and Mr. Prunty form their own committee to come up with recommendations for the City in order to get more minorities to apply for fire and police positions.

11. ADJOURNMENT

A motion was made by Councilman Mitch Johnson, seconded by Councilman Chris Moore, that this meeting be Adjourned . The motion PASSED by a unanimous vote

Aye: 11 - Darrel Dover;Ann Williams;Charles Frierson;Chris Moore;John Street;Mitch Johnson;Tim McCall;Gene Vance;Rennell Woods;Mikel Fears and Charles Coleman

Absent: 1 - Chris Gibson

_____ **Date:** _____
Harold Perrin, Mayor

Attest:

_____ **Date:** _____
Donna Jackson, City Clerk