



City of Jonesboro

900 West Monroe
Jonesboro, AR 72401

Meeting Minutes City Council

Tuesday, October 7, 2008

6:30 PM

Council Chambers

PUBLIC WORKS COMMITTEE MEETING AT 5:15 P.M.

1. Call to order by the Mayor at 6:30 P.M.

2. Pledge of Allegiance and Invocation

3. Roll Call by the City Clerk

Present 11 - Judy Furr; Darrel Dover; Faye McCall; Ann Williams; Cecil Province; Jim Hargis; Chris Moore; Harold Perrin; John Street; Mitch Johnson and Tim McCall

Absent 1 - Charles Frierson

4. Special Presentations

Mayor Formon presented Detectives Kenny Oldham and Chad Hogard with citations for their work during an investigation regarding a recent burglary at the Huntington Building. Public Works Director Erick Woodruff commended the officers for their help during the investigation.

5. Consent Agenda

Approval of the Consent Agenda

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

Aye: 11 - Judy Furr; Darrel Dover; Faye McCall; Ann Williams; Cecil Province; Jim Hargis; Chris Moore; Harold Perrin; John Street; Mitch Johnson and Tim McCall

Absent: 1 - Charles Frierson

MIN-08:190 Minutes for the City Council meeting on September 16, 2008.

Attachments: [Minutes](#)

This item was PASSED on the consent agenda.

RES-08:163 RESOLUTION OF THE CITY COUNCIL OF JONESBORO, ARKANSAS, CERTIFYING LOCAL GOVERNMENT ENDORSEMENT OF BUSINESS TO PARTICIPATE IN THE TAX BACK PROGRAM (AS AUTHORIZED BY SECTION 15-4-2706(d) OF THE CONSOLIDATED INCENTIVE ACT OF 2003).

Sponsors: Mayor's Office

This item was PASSED on the consent agenda.

Enactment No: R-EN-131-2008

6. New Business

COM-08:132 Request by Wade and Katrina Carpenter to set an appeal hearing regarding the denial by the MAPC to rezone property located at 5416 Maple Valley Drive from R-1 Residential to C-4 Limited Use Overlay.

Attachments: [Appeal Letter](#)
[Plat](#)
[Application for a Zoning Map Amendment](#)

Councilman Moore questioned how long the appeal hearing might take. Attorney Skip Mooney stated he doesn't think he'd need more than ten minutes for the hearing.

Councilman Moore motioned, seconded by Councilman Perrin, to set the appeal hearing for 6:15 p.m. on October 21, 2008. All voted aye.

This item was Read.

Ordinances on First Reading

ORD-08:081 AN ORDINANCE TO AMEND TITLE 14, KNOWN AS THE ZONING ORDINANCE, BY A CHANGE OF BOUNDARY IN A ZONING DISTRICT FROM R-1 SINGLE FAMILY MEDIUM DENSITY TO C-3 LUO LOCATED AT 4501 EAST JOHNSON AVENUE AS REQUESTED BY TLRMC, LLC

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

Councilman Street offered the ordinance for first reading.

Mr. David Tyler, representing TLRMC, asked the Council to place the ordinance on second reading. He added to his knowledge there was no opposition at MAPC and it was voted on unanimously at MAPC.

A motion was made by Councilman Chris Moore, seconded by Councilman John Street, that this matter be Placed on second reading . The motion PASSED by an unanimous vote

Aye: 11 - Judy Furr;Darrel Dover;Faye McCall;Ann Williams;Cecil Province;Jim Hargis;Chris Moore;Harold Perrin;John Street;Mitch Johnson and Tim McCall

Absent: 1 - Charles Frierson

ORD-08:083 AN ORDINANCE TO ENTER INTO A CONTRACT WITH WERTZ AND ASSOCIATES. INC. TO PROVIDE AN ACTUARIAL STUDY OF THE CITY'S CURRENT RETIREMENT PLAN WITH PRINCIPAL FINANCIAL GROUP.

Sponsors: Finance & Administration Council Committee

Attachments: [Wertz Proposal](#)

Councilman Perrin offered the ordinance for first reading.

Councilwoman Williams explained the ordinance came out of the Finance Committee due to a personnel matter. Councilman Perrin further explained Werntz will be comparing the City's current retirement plan with APERS. He added they would also like to have at least a 5-member committee to work with. He stated the Mayor, Human Resources Director Gloria Roark, Finance Director Jim Barksdale, Employee Representative Larry Jackson and one member of the Finance Committee to be placed on the committee.

Councilman Moore 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 Chris Moore, seconded by Councilman John Street, that this matter be Passed . The motion PASSED by an unanimous vote

Aye: 11 - Judy Furr;Darrel Dover;Faye McCall;Ann Williams;Cecil Province;Jim Hargis;Chris Moore;Harold Perrin;John Street;Mitch Johnson and Tim McCall

Absent: 1 - Charles Frierson

Enactment No: O-EN-056-2008

ORD-08:085

AN ORDINANCE TO WAIVE COMPETITIVE BIDDING AND AUTHORIZING THE EXECUTION OF THE CONTRACT WITH JOHANSON DB SQUARED, LLC TO REVIEW AND REVISE THE CITY'S CLASSIFICATION AND COMPENSATION SYSTEM

Sponsors: Human Resources

Attachments: [JESAP Contract](#)

Councilwoman Williams offered the ordinance for first reading.

Councilman Moore questioned whether the ordinance should have gone to the Finance and Personnel Committees for a recommendation. Councilwoman Williams stated it went to the Finance Committee. Councilman Moore noted Legistar does not reflect where the ordinance was approved by the Finance Committee. Councilwoman Williams stated it was on the Council agenda for the last meeting, but extra time was needed in order for City Attorney Crego to review the contract.

Councilman Street motioned, seconded by Councilman Hargis, to suspend the rules and place the ordinance on second and third readings. All voted aye.

Councilman Johnson motioned, seconded by Councilwoman Williams, to adopt the emergency clause. All voted aye.

A motion was made by Councilman John Street, seconded by Councilwoman Ann Williams, that this matter be Passed . The motion PASSED by an unanimous vote

Aye: 11 - Judy Furr;Darrel Dover;Faye McCall;Ann Williams;Cecil Province;Jim Hargis;Chris Moore;Harold Perrin;John Street;Mitch Johnson and Tim McCall

Absent: 1 - Charles Frierson

Enactment No: O-EN-057-2008

Resolutions To Be Introduced

RES-08:166 RESOLUTION TO SET A PUBLIC HEARING REGARDING THE CLOSING OF AN ALLEY AS REQUESTED BY B&G LAND COMPANY

Attachments: [Petition](#)
[Ordinance](#)
[Utility Letters](#)

Councilman Moore motioned, seconded by Councilman Perrin, to set the public hearing for October 21, 2008, at 6:10 p.m.

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

Aye: 11 - Judy Furr;Darrel Dover;Faye McCall;Ann Williams;Cecil Province;Jim Hargis;Chris Moore;Harold Perrin;John Street;Mitch Johnson and Tim McCall

Absent: 1 - Charles Frierson

Enactment No: R-EN-132-2008

7. Unfinished Business

Ordinances on Third Reading

ORD-08:079 AN ORDINANCE TO AMEND TITLE 14 KNOWN AS THE ZONING ORDINANCE PROVIDING FOR THE CHANGE IN ZONING BOUNDARIES FROM COMMERCIAL C-3 TO INDUSTRIAL I-1 LUO AS REQUESTED BY JOEY PERRY

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

Councilwoman Furr noted in the past there were noise issues when garages such as this were built. She questioned whether anyone had concerns with this request. Attorney Skip Mooney stated the Planning Commission looked into that and put restrictions on the rezoning to address the noise issue.

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

Aye: 11 - Judy Furr;Darrel Dover;Faye McCall;Ann Williams;Cecil Province;Jim Hargis;Chris Moore;Harold Perrin;John Street;Mitch Johnson and Tim McCall

Absent: 1 - Charles Frierson

Enactment No: O-EN-058-2008

8. Mayor's Reports

Councilman Street motioned, seconded by Councilman Moore, to suspend the rules and add an ordinance to the agenda. All voted aye.

ORD-08:086 AN ORDINANCE TO AMEND ORDINANCE NUMBER-08:035 (AN ORDINANCE TO ADOPT THE CITY OF JONESBORO FIRE DEPARTMENT EDUCATIONAL/TRAINING INCENTIVE PLAN)

Sponsors: Fire Department

Mayor Formon explained when the Fire Department's incentive plan was set up it included the two secretaries in the department. He further explained that wasn't the intent and it has caused problems. He stated the ordinance re-writes the incentive plan so the two secretarial non-uniform employees are not included in the incentive plan for the Fire Department.

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

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 John Street, that this Ordinance be Passed. The motion CARRIED by a Voice Vote.

Aye: 11 - Judy Furr;Darrel Dover;Faye McCall;Ann Williams;Cecil Province;Jim Hargis;Chris Moore;Harold Perrin;John Street;Mitch Johnson and Tim McCall

Absent: 1 - Charles Frierson

Enactment No: O-EN-059-2008

COM-08:130 2007 Legislative Audit Findings

Attachments: [2007 Legislative Audit Findings](#)

Councilwoman Williams stated they are setting a special called Finance Committee meeting for Tuesday, October 14, 2008, at 3:00 p.m. to discuss the audit issues. Mr. Barksdale further explained the audit issues will cover the federal audit, the legislative audit and the Crowe Chizek audit. He added he will make himself available after the meeting to meet with the mayoral and Council candidates, if needed, to answer any questions.

This item was Read.

COM-08:131 Budget Report by Department - 9-26-08

Attachments: [Budget Report by Department - 9-26-08](#)

Mr. Barksdale stated the communication file was for informational purposes only. He added he will discuss it at the next Finance Committee meeting.

This item was Read.

COM-08:134 Financial reports as provided by Finance Director Jim Barksdale to the City Council at the meeting on October 7, 2008.

Attachments: [Schedule of Interest Earned through August, 2008](#)
[City Sales Tax Trends - comparison 2007/2008](#)
[Statement thru August 31, 2008](#)

This item was Read.

9. City Council Reports

Councilman Street motioned, seconded by Councilman Moore, to suspend the rules and place an ordinance on the agenda. Councilman Street explained the ordinance dealt with appropriating funds in order to move the Street and Sanitation Departments

to different facilities. All voted aye.

ORD-08:087 AN ORDINANCE TO APPROPRIATE MONEY TO COVER COSTS ASSOCIATED WITH MOVING THE STREET AND SANITATION DEPARTMENT, THE PLANNING DEPARTMENT, AND THE POLICE SERVICES DIVISION FROM THE BEST MANUFACTURING FACILITY ON BURKE STREET TO THE STRAWFLOOR SITE, THE HUNTINGTON BUILDING, AND THE JETS FACILITY, RESPECTIVELY, TO DECLARE AN EMERGENCY AND OTHER PURPOSES

Sponsors: Engineering

Councilman Street offered the ordinance.

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

Councilman Street 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 Moore, that this Ordinance be Passed. The motion CARRIED by a Voice Vote.

Aye: 11 - Judy Furr;Darrel Dover;Faye McCall;Ann Williams;Cecil Province;Jim Hargis;Chris Moore;Harold Perrin;John Street;Mitch Johnson and Tim McCall

Absent: 1 - Charles Frierson

Enactment No: O-EN-060-2008

Councilman Street stated they don't want to see the departments go back to the landfill and that the relocation is just temporary. He added the Public Works Committee supports the construction of a shop building for Streets, Sanitation and the police division on the Edwards property the City just acquired. He asked the City Clerk to poll the Council in order to set up a special called meeting with the only business being what direction the City will go towards regarding long range facilities. He noted it's a Council decision, so the whole Council should weigh in on it. Councilman Street stated due to the Planning Department being moved to the Council Conference Room all committee meetings will have to take place in Council Chambers. Councilman Hargis questioned whether there is an itemized list to detail how the \$60,000 will be spent. City Engineer Craig Light stated \$30,000 will be spent on the Strawfloor site, bringing it back up to service with things such as the septic system and the air conditioning. He explained approximately \$5,000 will be spent to get the offices in the Huntington Building set up for the Planning Department. He further explained the rest would be for the lease amount in the JETS facility. Mayor Formon asked Mr. Light to send a list to the Council members detailing what the \$60,000 is being used for.

Councilman Street announced a Stormwater Board meeting on October 15, 2008, at 8:30 a.m.

Councilman Johnson noted the Public Works Committee did not take the relocation issue lightly and discussed it at length. Mayor Formon noted the methane gas is not an issue at the landfill anymore.

Councilman McCall asked for someone to look at Murray Creek off Crepe Myrtle and Murray Creek Road. He explained he has received complaints about erosion in those areas.

Councilwoman Williams motioned, seconded by Councilman Moore, to suspend the rules and place an ordinance on the agenda.

ORD-08:080

AN ORDINANCE TO AMEND AGREEMENT DATED SEPTEMBER 2, 1997, BETWEEN THE LOCAL POLICE AND FIRE RETIREMENT SYSTEM (LOPFI) AND THE CITY OF JONESBORO TO PROVIDE FOR AN ADDITIONAL RETIREMENT BENEFIT FOR MEMBERS OF THE JONESBORO LOCAL FIRE PENSION FUND

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

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

Councilwoman Williams motioned, seconded by Councilman Dover, to adopt the emergency clause. All voted aye.

A motion was made by Councilwoman Ann Williams, seconded by Councilman John Street, that this Ordinance be Passed. The motion CARRIED by a Voice Vote.

Aye: 11 - Judy Furr;Darrel Dover;Faye McCall;Ann Williams;Cecil Province;Jim Hargis;Chris Moore;Harold Perrin;John Street;Mitch Johnson and Tim McCall

Absent: 1 - Charles Frierson

Enactment No: O-EN-061-2008

Councilman Moore asked for an update concerning the traffic light on the corner of Main Street and Cherry. Public Works Director Erick Woodruff stated they ordered a new arm for the light due to it being struck when a nearby tree fell. He stated it will be 4-7 weeks.

Councilman Moore then asked for an update regarding security at the fair. Police Chief Michael Yates explained they put extra measures in place this year and made the mobile force available if needed. He further explained dress requirements and behaviors were more stringent this year than in the past. He stated they got positive feedback and had fewer issues this year. Councilman Moore stated the Jonesboro Sun alluded to some gang activity at the fair on Saturday night. Councilman Johnson, a member of the fair committee, said this was the smoothest year for the fair than ever. He added he didn't remember seeing a single incident and didn't have any problems.

Councilman Moore questioned the crime statistics that were reported in the Sun. Chief Yates explained he is not familiar with what was reported in the Sun, but he sent a report into the Sun today with crime statistics in it. He discussed the report sent to the Sun. Councilman Moore asked for Chief Yates to email the statistics to him. Councilman Moore questioned how they can compare the statistics for Jonesboro to other cities such as Little Rock. Chief Yates stated he doesn't think there's an easy way to compare the cities. He directed Councilman Moore to homestore.com, a real estate site, where users can compare statistics by zip codes, which is a reflection of what is going on in those areas. He stated it's not the best, but is the quickest and easiest way to get a picture. Councilman Moore asked Chief Yates to make a presentation towards the end of the year concerning crime statistics and compare the statistics to two or three other large cities in Arkansas.

Mr. Dan Melton stated he's had a booth at the fair almost every year since 1978. He explained this year was the finest, most orderly fair he's participated in.

Councilman Hargis explained he would like an aggregated overview of the finances.

He further explained he gets different answers concerning revenues. He stated the current report shows \$29.497 million in revenues, which is better than a lot of other communities. He noted according to the \$29.497 revenues the City would take in about \$44 million in revenues for the year, which is surprisingly small. Mr. Barksdale stated the report is for the first eight months of the year and did not segregate grant revenue or other sources of revenue. He explained they are working on issues to straighten the information out. He further explained part of the problem is the lack of written processes.

Councilman Province agreed with Councilman Johnson regarding the move to the landfill, stating the Public Works Committee wanted assurances this would be a temporary move. He stated he hopes it can be taken care of quickly.

10. Public Comment

11. Adjournment.

A motion was made by Councilman Chris Moore, seconded by Councilman Mitch Johnson, that this meeting be Adjourned. The motion CARRIED by a Voice Vote.

Aye: 11 - Judy Furr;Darrel Dover;Faye McCall;Ann Williams;Cecil Province;Jim Hargis;Chris Moore;Harold Perrin;John Street;Mitch Johnson and Tim McCall

Absent: 1 - Charles Frierson

_____ **Date:** _____
Doug Formon, Mayor

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