



City of Jonesboro

900 West Monroe
Jonesboro, AR 72401

Meeting Minutes City Council

Tuesday, March 15, 2011

6:30 PM

Huntington Building

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

4. SPECIAL PRESENTATIONS

COM-11:016 Presentation of Mayor's Citation

Sponsors: Mayor's Office

Mayor Perrin presented the Mayor's Citation for Distinguished Service to Sgt. Larry Rogers, director of the Animal Control Department. He received the citation for his 24 years of service to the City and his educational efforts concerning animals.

COM-11:017 Presentation by Wendy Stotts of the Auditorium Commission

Sponsors: Mayor's Office

Attachments: [Supporting Information](#)
[Survey](#)

Ms. Stotts, chair of the Auditorium Commission, provided the Council with a draft survey that will determine the support of the community towards either repairing the existing Forum or the construction of a new auditorium. She discussed the renovations needed in the existing Forum. She noted a larger facility could accommodate more of the community. Councilman Fears questioned whether the funding would come from for either repairing the Forum or constructing a new facility. Ms. Stotts stated that would be answered in the survey.

5. CONSENT AGENDA

Approval of the Consent Agenda

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

Aye: 12 - Darrel Dover; Ann Williams; Charles Frierson; Chris Moore; John Street; Mitch Johnson; Tim McCall; Gene Vance; Chris Gibson; Rennell Woods; Mikel Fears and Charles Coleman

MIN-11:019 Minutes for the City Council meeting on March 1, 2011.

Attachments: [Minutes](#)

This item was PASSED on the consent agenda.

RES-11:014 A RESOLUTION TO ACCEPT A MAINTENANCE AGREEMENT FOR STORMWATER MANAGEMENT FACILITIES FOR FOX MEADOW CHASE, A COMMERCIAL SUBDIVISION

Sponsors: Engineering

Attachments: [Maintenance Agreement.pdf](#)

This item was PASSED on the consent agenda.

Enactment No: R-EN-022-2011

RES-11:015 A RESOLUTION TO ACCEPT A MAINTENANCE AGREEMENT FOR STORMWATER MANAGEMENT FACILITIES FOR RITTER CENTRE, A COMMERCIAL SUBDIVISION

Sponsors: Engineering

Attachments: [Maintenance Agreement.pdf](#)

This item was PASSED on the consent agenda.

Enactment No: R-EN-023-2011

RES-11:016 A RESOLUTION TO ACCEPT A MAINTENANCE AGREEMENT FOR STORMWATER MANAGEMENT FACILITIES FOR THE VILLAS ON JOHNSON AVE., A COMMERCIAL DEVELOPMENT

Sponsors: Engineering

Attachments: [Maintenance Agreement.pdf](#)

This item was PASSED on the consent agenda.

Enactment No: R-EN-024-2011

RES-11:026 A RESOLUTION TO ACCEPT A MAINTENANCE AGREEMENT FOR STORMWATER MANAGEMENT FACILITIES FOR LOT 51 - 55 SAGE MEADOWS PHASE II-C, A RESIDENTIAL SUBDIVISION

Sponsors: Engineering

Attachments: [Plat.pdf](#)
[Maintenance Agreement.pdf](#)

This item was PASSED on the consent agenda.

Enactment No: R-EN-025-2011

6. NEW BUSINESS

ORDINANCES ON FIRST READING

ORD-11:023 AN ORDINANCE TO AMEND THE 2011 ANNUAL BUDGET AND THE CITY SALARY & ADMINISTRATION PLAN FOR THE CITY OF JONESBORO TO ADD A SOFTBALL COORDINATOR TO THE PARKS AND RECREATION DEPARTMENT

Sponsors: Parks & Recreation and Finance

Attachments: [Softball Coordinator - 28736](#)

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

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

Councilman Fears asked for the Mayor to provide more information regarding this position. Mayor Perrin explained Parks Director Jeff Owens has been working with the Jonesboro Softball Booster Club for the last several months. He further explained the City will be taking the position over and, in turn, the Softball Booster Club will be turning over their funds to the City. He stated they would like more tournaments to be held at the softball complex and are hoping the new position will be able to bring in more business.

Councilman Gibson questioned how they determined the salary of the position considering there are some employees who have been with the City for a while and are not making as much as this position will be paid. Mayor Perrin stated they made a job description, sent it to Fayetteville where it was graded and sent back to the City.

After adoption of the ordinance, Councilman Johnson motioned, seconded by Councilman Fears, to adopt the emergency clause. All voted aye.

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

Enactment No: O-EN-018-2011

ORD-11:024 AN ORDINANCE TO AMEND CHAPTER 117, ARTICLE III, THE ZONING ORDINANCE PROVIDING FOR CHANGES IN ZONING BOUNDARIES FROM R-1 TO RM-6 LUO FOR PROPERTY LOCATED AT 2225 & 2227 BELT STREET AS REQUESTED BY YUNGHO OUYANG

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

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

Councilman Street asked if there has been any opposition to the rezoning. City Planner Otis Spriggs answered no.

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

Aye: 12 - Darrel Dover;Ann Williams;Charles Frierson;Chris Moore;John Street;Mitch Johnson;Tim McCall;Gene Vance;Chris Gibson;Rennell Woods;Mikel Fears and Charles Coleman

ORD-11:025 AN ORDINANCE TO AMEND CHAPTER 117, ARTICLE III, KNOWN AS THE ZONING ORDINANCE OF THE CITY OF JONESBORO, ARKANSAS, PROVIDING FOR CHANGES IN ZONING BOUNDARIES FROM R-1 TO PD-RM FOR PROPERTY LOCATED ON SOUTH CARAWAY ROAD AS REQUESTED BY CAROLYN CARLISLE

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

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

Councilman Street questioned whether any opposition had been presented regarding the rezoning. Mr. Spriggs answered yes, but most of the concerns were regarding access to Craighead Forest Road to the west. He explained the request does not connect to the right-of-way and they do not wish to connect to it.

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

Aye: 12 - Darrel Dover;Ann Williams;Charles Frierson;Chris Moore;John Street;Mitch Johnson;Tim McCall;Gene Vance;Chris Gibson;Rennell Woods;Mikel Fears and Charles Coleman

ORD-11:026 AN ORDINANCE ACCEPTING THE ANNEXATION OF CERTAIN TERRITORY TO THE CITY OF JONESBORO, ARKANSAS, AND MAKING SAME A PART OF THE CITY OF JONESBORO, ARKANSAS, AMENDING THE ZONING ORDINANCE OF JONESBORO, ARKANSAS, AND ASSIGNING SAME TO WARDS

Attachments: [Plat](#)
 [Layout](#)
 [MAPC Report](#)
 [Annexation Application](#)
 [Petition to Accept Annexation](#)
 [Citizen email message - Carolyn Deal](#)
 [Citizen email message - Shelly Campbell](#)
 [Citizen email message - Shelly Campbell - supporting info](#)
 [Citizen email message - Cindy Lewis](#)
 [2009 Violent Crime Distribution Map](#)
 [Opposition Material](#)

Councilman Vance, Councilman Johnson and Councilman McCall abstained from discussion and voting concerning the ordinance.

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

Mr. Ralph Waddell, attorney for the petitioners, discussed the annexation. He stated they provided each Council member with a packet of information regarding the proposed fairgrounds and concerns that have been raised by the surrounding community. The City Clerk's Office was not provided with this information. Mr. Waddell noted the property is under contract with the Fair Association. He explained the Fair Association plans to develop this property as the new fairgrounds whether or not the annexation is approved. He then discussed the events that take place at the fairgrounds. He further explained the current site is no longer adequate for what the Fair Association wants to do for the community. He discussed the new site and the Fair Association's process to choose this as the new site. He stated the property can be developed in the county without being annexed into the City, but they would like the property to be part of the City. Mr. Waddell spoke about the plans for the proposed fairgrounds and noted none of the facilities will be used every day; rather, the facilities will be used sporadically.

Mr. Waddell noted they have had community meetings and several public meetings in order to discern what the neighboring residents concerns are. They have made certain commitments if they are allowed the annexation and are willing to work with the residents further. He explained they have strategically placed the buildings on the property in places to minimize the impact. He further explained they have agreed to construct a fence along the southern border and are willing to limit access to certain portions of the site.

Mr. Waddell stated they have agreed to help the residents in the Oakwood Subdivision. He explained they will pay the legal and surveying costs in order to be annexed into the City. The projected cost of the extension of sewer to that area is \$176,000 and the Fair Association has agreed to pay up to \$100,000 of that cost. He then discussed the zoning in the area and stated they think commercial zoning would fit that property.

Mr. Jim Lyons, attorney for the opposition, spoke against the annexation. He stated the rezoning application has a number of incorrect items, one being the purpose of the proposed rezoning. He explained the application states the property will be used for the district fair when, in fact, it will also be used for a number of other events. He further explained the rezoning is not consistent with the Land Use Plan. He noted the application states it won't adversely affect the neighboring properties, but it will have negative effects. Mr. Lyons discussed the Land Use Plan and stated it should be followed since that was the purpose of using tax dollars to make the plan. He stated the plan is only 13 months old. He noted the parking spaces in the plan are not paved, even though they are required to be paved by City ordinance.

Mr. Lyons then referred to the \$176,000 that Mr. Waddell said would be the cost for the nearby residents to hook up to City utilities if they are annexed into Jonesboro. He stated he has spoken with City Water and Light and the estimated cost is more than \$176,000. He added Mr. Waddell has stated they are willing to contribute up to \$100,000 for the cost, but that is less than half of what the actual cost will be.

Mr. Lyons discussed the opposition material (see attached). He explained the material includes information regarding crimes occurring around fairgrounds, as well as a letter from a local real estate agent stating the fairgrounds will have a negative impact to the value of the nearby homes. He further explained in his professional

experience commercial activity near homes typically drops the value of those homes about 10% to 20%, while the addition of the City utilities may add only \$2,000 to \$3,000 worth of value.

Mr. Lyons then further discussed the parking spaces that are planned for the fairgrounds. He referred to Section 117-324 of the Code of Ordinances, which details the requirements of the parking area. Councilman Moore stated the site plan is not being brought before the City Council and noted the Council is considering the annexation and rezoning. Mr. Lyons stated the Council is considering the legalities of what is being proposed as the use of the property. Councilman Moore asked for an opinion from City Attorney Phillip Crego. City Attorney Crego stated the Council is not being asked for approval of the site plan. Councilman Moore explained the site plans will eventually go to the MAPC and have to gain approval there, while the Council is just considering the annexation and rezoning. He noted the appropriate time to discuss the parking would be when the site plan is presented to the MAPC. Mr. Lyons agreed that would be the appropriate time, but he believes the Council is required to ensure that property brought into the City complies with the ordinances of the City. He added he agrees with Councilman Moore and asked the Council to look at the material presented to them because they do not believe the proposed site plan will follow City ordinance.

Mr. Lyons brought attention to the last page of the opposition material that showed what they believe is the actual cost to the residents and Fair Association for the City utilities. He discussed the information and noted the cost to the homes is estimated by City Water and Light (CWL) to be about \$232,200 as opposed to the \$176,000 as stated by Mr. Waddell, which would leave a number of residents not able to pay the cost. He added CWL requires a portion of the cost to be paid up front.

Councilman Dover suggested holding the ordinance to one reading and allowing the public to speak at the next meeting.

Councilman Moore stated Mr. Lyons has a valid point concerning the utilities and asked that before the next meeting someone look into whether or not the residents would be required to tie into the City sewer with CWL or if they would only have to tie into it if they replaced their current system. He explained it's his understanding that the residents would not have to tie into the system until their current septic system fails and needs to be replaced. Mr. Lyons stated he would get that information. Councilman Coleman added he would like to know the cost for each house to hook into the City sewer.

This item was Held at one reading.

ORD-11:027

AN ORDINANCE TO AMEND CHAPTER 117, KNOWN AS THE ZONING ORDINANCE PROVIDING FOR CHANGES IN ZONING BOUNDARIES FROM R-1 TO RS-6 FOR PROPERTY LOCATED AT 1306 DAYBREAK DRIVE AS REQUESTED BY GARRY TATE

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

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

Councilman Moore asked if there was any opposition to the rezoning. Mr. Spriggs answered no.

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

Aye: 12 - Darrel Dover; Ann Williams; Charles Frierson; Chris Moore; John Street; Mitch Johnson; Tim McCall; Gene Vance; Chris Gibson; Rennell Woods; Mikel Fears and Charles Coleman

ORD-11:028

AN ORDINANCE TO AMEND CHAPTER 117, KNOWN AS THE ZONING ORDINANCE PROVIDING FOR CHANGES IN ZONING BOUNDARIES FROM R-2 TO PD-RM FOR PROPERTY LOCATED AT 1711 ARCH STREET AS REQUESTED BY WESLEY ABERNATHY

Attachments: [Plat](#)
[MAPC Report](#)
[Layout](#)
[Opposition material](#)

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

Mr. Burl Turman, a resident on Henry Street, spoke in opposition to the rezoning. He explained they already have traffic problems in the area and to construct the apartments in the area would make the traffic problem a disaster.

Ms. Julie Sartain presented the Council with a pictures and a petition listing nearby residents who are in opposition to the rezoning. She explained she represents her parents, who will be located directly across from the apartments, as well as the residents on Irby, Henry and Arch Streets. She noted not all of the opposition could attend due to it being an elderly population area. She further explained residents can be in the area at any time and see traffic. She discussed the traffic problem and noted there are also flooding issues that exist. She stated response times during emergencies could be slowed due to the nearby railroad tracks. She added there are no sidewalks in the area, but there are children in the area. She stated they are against the rezoning due to the danger, safety and traffic issue concerns.

Mr. Wesley Abernathy explained the property was zoned R-2 when he bought it. He further explained the rezoning proposal will make the traffic flow the best way it can. He stated he's spoken with residents to ensure them he will build the apartments with integrity and maintain it.

Councilman McCall asked for clarification regarding the current zoning and how it could be used. He asked if the Council could be doing a disservice to the citizens by denying the rezoning. Councilman Street stated the property is zoned R-2, meaning Mr. Abernathy could build the apartments today without any action by the Council. Mr. Spriggs agreed, stating there is historical evidence showing the property is zoned R-2. He explained multi-family is currently allowed and could be developed without good planning principals. He further explained the issue tonight is mostly a transportation problem, which is something the City and State should work on together to solve the problem and ensure emergency vehicles could access the subdivision if needed.

Councilman Fears stated if the Council chooses not to rezone the property, then it could potentially be worse for the neighboring residents than if the rezoning took place. Mr. Spriggs stated he can't say that for sure, but another unit could be developed in addition to what is being proposed tonight. Councilman Dover then questioned what the purpose is for the rezoning. Mr. Spriggs explained Mr. Abernathy is requesting a Planned District, which allows the Planning Commission and City Council to look at a proposed plan with open space and site amenities, such as walking tracks and trails. He further explained they were able to place a number of conditions on the rezoning to ensure that what is being promised is followed through with.

Councilman Street questioned whether there is a fence or any other type of buffer in the plans. Mr. Spriggs stated one of the conditions recommended by the MAPC is the installation and maintenance of a privacy fence in areas where one does not currently exist near the single family residential. He added they are required to submit a landscape and tree canopy plan for the MAPC to review during the site plan process. He noted these conditions would not be able to be enforced under the current zoning.

Councilman Dover recommended holding the ordinance at one reading to allow time for the developer and residents to compromise before the next meeting. Councilman Fears added he recommends the residents meet with the developer to get a better understanding of what will take place on the property if the rezoning is not approved. Mayor Perrin stated he will also look into the flooding problems and the traffic count for that area.

This item was Held at one reading.

ORD-11:029

AN ORDINANCE TO AMEND CHAPTER 117, KNOWN AS THE ZONING ORDINANCE PROVIDING FOR CHANGES IN ZONING BOUNDARIES FROM R-1 TO PD-M FOR PROPERTY LOCATED NORTH OF AGGIE ROAD AND WEST OF PARAGOULD DRIVE AS REQUESTED BY GERRY MCGOUGH

Attachments: [Plat](#)
[MAPC Report](#)
[Layout](#)
[Citizen email message](#)

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

Mr. Jim Lyons, attorney for the opponents, spoke concerning the rezoning. He noted the surrounding zonings are residential, with the exception of the southwest corner. He stated the proposal is supposed to be consistent with the comprehensive plan, but the plan calls for R-1. He explained the proposal is not consistent with the surrounding area or the comprehensive plan, even though it could be easily used for single family homes. He further explained one of the main problems is traffic due to it being a high-traffic area. He noted the increased traffic will add to the traffic problems.

Mr. George Hamman, representing the property owner, stated the property owner was unable to be at the meeting, but would like an opportunity to speak at the next meeting.

Mr. Reginald Spurlock spoke in opposition to the rezoning. He stated they live in the curve near where Aggie Road and Paragould Drive intersect. They had a drunk driver hit their home on August 4, 2010. He added constructing new homes in that area would increase the danger.

This item was Held at one reading.

ORD-11:030

AN ORDINANCE TO AMEND CHAPTER 117, KNOWN AS THE ZONING ORDINANCE PROVIDING FOR CHANGES IN ZONING BOUNDARIES FROM R-2 TO CR-1 LUO FOR PROPERTY LOCATED AT 118 MELROSE STREET AS REQUESTED BY NAOMI GREEN

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

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

Mayor Perrin questioned whether there was any opposition. Mr. Spriggs answered no.

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

Aye: 12 - Darrel Dover;Ann Williams;Charles Frierson;Chris Moore;John Street;Mitch Johnson;Tim McCall;Gene Vance;Chris Gibson;Rennell Woods;Mikel Fears and Charles Coleman

ORD-11:031

AN ORDINANCE TO AMEND TITLE 14, KNOWN AS THE ZONING ORDINANCE PROVIDING FOR CHANGES IN ZONING BOUNDARIES FROM R-1 TO C-4 LUO FOR PROPERTY LOCATED AT 5431 SOUTHWEST DRIVE AS REQUESTED BY FIRESIDE INVESTMENTS AND MARK & LISA BOWERS

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

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

Mayor Perrin questioned if there was any opposition. Mr. Spriggs answered no.

Councilman Woods was away from his seat during voting on this item.

A motion was made by Councilman Chris Moore, seconded by Councilman Gene Vance, 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;Chris Gibson;Mikel Fears and Charles Coleman

Absent: 1 - Rennell Woods

RESOLUTIONS TO BE INTRODUCED

RES-11:031

RESOLUTION AUTHORIZING FINANCING UNDER AMENDMENT 78 FOR CAPITAL IMPROVEMENTS WITH INTEGRITY FIRST BANK

Sponsors: Mayor's Office and Finance

Attachments: [2011-99 Tax Exempt Financing - Bid Sheet](#)
[Written Proposal Integrity First Bank](#)
[Information concerning loan](#)

Mayor Perrin asked for this resolution to be postponed indefinitely because in order to borrow the money it has to be done by ordinance, not resolution.

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

Aye: 12 - Darrel Dover;Ann Williams;Charles Frierson;Chris Moore;John Street;Mitch Johnson;Tim McCall;Gene Vance;Chris Gibson;Rennell Woods;Mikel Fears and Charles Coleman

Councilman Gibson motioned, seconded by Councilman Vance, to suspend the rules and add ORD-11:033 to the agenda. All voted aye.

ORD-11:033

AN ORDINANCE AUTHORIZING FINANCING FOR CAPITAL IMPROVEMENTS UNDER AMENDMENT 78 WITH INTEGRITY FIRST BANK

Sponsors: Mayor's Office

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

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

Mayor Perrin explained they would like to complete several projects, including the Streets facility on Lacy Drive and the fire station on Harrisburg Road. He added they will also need to move the departments currently located in the Huntington Building to other offices before the lease expires. He further explained the City will not be charged any interest until money is pulled from the loan. He stated the interest on the loan is possibly lower than what the City could receive through a bond issue, but if the bond rates stay low they may look into taking out a bond issue to finish the projects. Councilman Dover clarified that the money used to make the loan payments will be taken from the Capital Improvement Fund. Mayor Perrin answered yes. He noted it could be six months before they need to use any money.

Councilman Fears noted there is an error in the ordinance in that the ordinance reflects "\$10,500". Councilman Fears motioned, seconded by Councilman Johnson, to amend the ordinance to state "\$10,500,000". 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 Councilwoman Ann Williams, seconded by Councilman Mitch Johnson, that this matter be Passed . The motion PASSED by a unanimous vote

Aye: 12 - Darrel Dover;Ann Williams;Charles Frierson;Chris Moore;John Street;Mitch Johnson;Tim McCall;Gene Vance;Chris Gibson;Rennell Woods;Mikel Fears and Charles Coleman

Enactment No: O-EN-019-2011

7. UNFINISHED BUSINESS

8. MAYOR'S REPORTS

COM-11:019

Financial reports as presented to the City Council on March 15, 2011.

Sponsors: Finance and Mayor's Office

Attachments: [City Sales Tax Revenue - Cash Basis](#)
[Combined Sales Tax Revenue - Cash Basis](#)
[County Sales Tax Revenue - Cash Basis](#)
[Deposit Collateralization](#)
[Expenditure Report-2-28-11](#)
[Franchise Fees Comparison](#)
[Hotel Occupancy Tax](#)
[Hotel Occupancy Tax Comparison Report](#)
[Required Reserves-2-28-11](#)
[Revenue Report-2-28-11](#)
[State Turnback & Comparison Report](#)
[Stmt of Rev Exp and Changes in FB-2-28-2011](#)

9. CITY COUNCIL REPORTS

Councilman Johnson stated he is glad they are going to be finishing the Streets facility, so the employees will have a nice facility to work in.

Councilman Gibson questioned whether the City taking over the softball field functions could be used as leverage for Governor Beebe to deed the City the property. Mayor Perrin stated he is not sure because the state is interested in extending the lease, but has not shown interest in selling the property. He added once the program is more utilized, then maybe the City could look at relocating the softball fields. Councilman Vance added there is a chance to relocate the facilities closer to Joe Mack Campbell Park.

Mayor Perrin asked everyone to keep Councilman Gibson in their thoughts and prayers due to the recent loss of his father-in-law.

Councilman Frierson motioned, seconded by Councilman Moore, to suspend the rules and add RES-11:025 to the agenda. All voted aye.

RES-11:025 A RESOLUTION TO CONTRACT WITH FRITO LAY FOR SPONSORSHIP OF SOCCER FIELDS AT JOE MACK CAMPBELL PARK

Sponsors: Parks & Recreation

Attachments: [Frito Lay](#)

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

Aye: 12 - Darrel Dover;Ann Williams;Charles Frierson;Chris Moore;John Street;Mitch Johnson;Tim McCall;Gene Vance;Chris Gibson;Rennell Woods;Mikel Fears and Charles Coleman

Enactment No: R-EN-026-2011

10. PUBLIC COMMENTS

Mr. M.G. Meyering, Executive Chief Officer for Habitat for Humanity, updated the Council on the West Nettleton properties, which were condemned by the City Council earlier this year. He explained they have been speaking with Attorney Angela Martin,

who was retained by Bank of America. She indicated Bank of America received a broker priority opinion on the property and they would like to do an internal property evaluation in order for Bank of America to determine the value of the property and forgive the debt. Mayor Perrin stated Code Enforcement Office Ronnie Shaver will be allowing them into the building to do the inspection. He added they are trying to take care of this quickly. City Attorney Crego questioned whether there was a need for an extension at this time. Mr. Shaver stated he has no issues with giving them more time.

Mr. Larry Jackson, employee of the Parks Department, stated the Streets employees are very thankful for the continuing progress on the Public Works Facility. He also stated everyone should keep Japan and those affected by the earthquake and tsunami in their thoughts.

11. ADJOURNMENT

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

Aye: 12 - Darrel Dover; Ann Williams; Charles Frierson; Chris Moore; John Street; Mitch Johnson; Tim McCall; Gene Vance; Chris Gibson; Rennell Woods; Mikel Fears and Charles Coleman