



# City of Jonesboro

900 West Monroe  
Jonesboro, AR 72401

## Meeting Minutes City Council

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Tuesday, November 18, 2008

6:30 PM

Council Chambers

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### PUBLIC SAFETY COMMITTEE MEETING AT 5:15 P.M.

### PUBLIC HEARING AT 6:00 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 - Darrel Dover; Faye McCall; Ann Williams; Charles Frierson; Cecil Province; Jim Hargis; Chris Moore; Harold Perrin; John Street; Mitch Johnson and Tim McCall

**Absent** 1 - Judy Furr

#### 4. Ordinances To Be Introduced

*Councilwoman Williams motioned, seconded by Councilman, to amend the agenda to address ORD-08:100 first. All voted aye.*

#### **ORD-08:100**

AN ORDINANCE AMENDING ORDINANCE NO. 3487 AND AUTHORIZING THE ISSUANCE OF INDUSTRIAL DEVELOPMENT REVENUE BONDS FOR THE PURPOSE OF PROVIDING PERMANENT FINANCING FOR INDUSTRIAL FACILITIES; AUTHORIZING A TRUST INDENTURE SECURING THE BONDS; AUTHORIZING A SUPPLEMENTAL LEASE AGREEMENT BETWEEN THE CITY OF JONESBORO, ARKANSAS, AS LESSOR, AND FRITO-LAY, INC., AS LESSEE; AUTHORIZING THE SALE OF THE BONDS; AND PRESCRIBING OTHER MATTERS RELATED THERETO; AND DECLARING AN EMERGENCY.

**Attachments:** [Supplemental Trust Indenture for 2008 Frito-Lay Bonds](#)  
[Third Supplemental Lease - Frito-Lay - Jonesboro Project](#)

*Councilman Perrin offered the ordinance for first reading by title only.*

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

*Councilwoman Williams motioned, seconded by Councilman Street, 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 an unanimous vote**

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

**Absent:** 1 - Judy Furr

Enactment No: O-EN-074-2008

**5. Special Presentations**

**COM-08:153** JETS Advertising Revisions (see attached files)

**Sponsors:** JETS

**Attachments:** [Council Handout 11/18/08](#)  
[Organizational Comparison](#)  
[Advisory Board appr letter-rate changes2008](#)  
[price comparison with other transit agency advertising](#)  
[PDF version - Organizational Comparison](#)  
[PDF version - Advisory Board appr letter-rate changes2008](#)  
[PDF version - price comparison with other transit agency advertising](#)

*JETS Director Steve Ewart explained after a review of their advertising rates they were not equal to the normal for transit systems in this part of the state, prompting them to cut their rates by 1/3. He noted they advised all of their advertising customers of the changes. He added they have seen their advertising revenues decrease significantly and hope by dropping the rates to a more reasonable rate they can find additional customers. He further explained there is no Council action required, but they did want to inform everyone of the decrease.*

**This item was Read.**

**COM-08:154** JETS Route Changes 2009 (see attached files)

**Sponsors:** JETS

**Attachments:** [Advisory Board approval letter for 2009 route changes](#)  
[PDF version - Advisory Board approval letter for 2009 route changes](#)  
[Current Routes](#)  
[Routes for 2009](#)  
[Route Map](#)

*Mr. Ewart discussed the route changes that will occur by January, which will result in a comprehensive increase of 15% of area served with very little cost increase. He noted the industrial route will be started 30 minutes early at 5:30 a.m. and run until 8 a.m., then start again from 3 p.m. until 6 p.m. He explained the resources will be used elsewhere between 8 a.m. and 3 p.m. He further discussed other route changes that will provide more options for riders. Mr. Ewart noted they will be adding service to the Parker Road Wal-Mart and the NEA Clinic on Parker Road. Councilman Street questioned when the changes would go into effect. Mr. Ewart answered January 5, 2009. Councilman Perrin asked whether the changes will be advertised. Mr. Ewart answered yes.*

**This item was Read.**

**COM-08:160** Award presentation by Police Chief Michael Yates

*Councilman Moore discussed a recent fire at Rosehaven Retirement Home. He explained the first responding police officers, Officers Jo Carol Carter, Gary Jackson and Ben Runnels, went inside the burning building twice and were able to locate five*

residents still inside. He further explained Police Officers Joe Robinson, Lane Holmes, Billy Anderson and Brad Hill assisted with getting the residents away from the burning structure.

On behalf of the Jonesboro Police Department and the Jonesboro City Council, Councilman Moore presented Officer Jo Carol Carter, Officer Gary Jackson and Officer Ben Runnels the Award of Valor for their self-less acts of outstanding heroism in the line of duty without the worry of personal harm or injury and for the demonstration of courage and devotion to duty. He also presented, on behalf of the Jonesboro Police Department and the Jonesboro City Council, the Lifesaving Award to Officer Joe Robinson, Officer Lane Holmes, Officer Billy Anderson and Officer Brad Hill for their acts of courage and devotion to duty for assisting the residents of Rosehaven to escape the burning building.

Councilman Moore thanked the officers on behalf of the Jonesboro City Council for going beyond the call of duty. The officers received a standing ovation from all in attendance.

**This item was Read.**

## **6. 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 - Darrel Dover; Faye McCall; Ann Williams; Charles Frierson; Cecil Province; Jim Hargis; Chris Moore; Harold Perrin; John Street; Mitch Johnson and Tim McCall

**Absent:** 1 - Judy Furr

**MIN-08:231** Minutes for the City Council meeting on November 6, 2008.

**Attachments:** [Minutes](#)

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

**RES-08:182** A RESOLUTION TO ACCEPT BIDS FOR BLEACHER AND DUGOUT COVERS AT JOE MACK CAMPBELL PARK

**Sponsors:** Parks & Recreation

**Attachments:** [contract with CNI for dugout covers 10-6-2008](#)  
[Contract with CNI for dugout covers EXHIBIT A 10-6-2008](#)  
[Bids for Bleacher and Dugout Covers 9-10-2008](#)

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

Enactment No: R-EN-144-2008

**RES-08:199** A RESOLUTION TO SUBMIT AN APPLICATION FOR GRANT FUNDING TO THE ARKANSAS DEPARTMENT OF PARKS AND TOURISM

**Sponsors:** Parks & Recreation

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

Enactment No: R-EN-145-2008

**RES-08:203**

A RESOLUTION TO THE CITY OF JONESBORO, ARKANSAS TO ACCEPT THE LOW BID AND ENTER INTO A CONTRACT WITH CAMERON CONSTRUCTION COMPANY, INC. FOR THE CONSTRUCTION OF THE WASHINGTON AVENUE AND BRIDGE STREET INTERSECTION IMPROVEMENT PROJECT;

**Sponsors:** Engineering

**Attachments:** [Bid 2008-29 Tabulation](#)  
[Washington Ave. and Bridge Street Contract Documents \(Cameron Construc](#)

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

Enactment No: R-EN-146-2008

**7. New Business**

*Ordinances on First Reading*

**ORD-08:088**

AN ORDINANCE TO AUTHORIZE THE CITY OF JONESBORO TO DISTRIBUTE FUNDS RECEIVED FROM FEMA FOR REIMBURSEMENT OF FLOOD RELATED DAMAGES RECEIVED BY THE CITY OF JONESBORO ON OR ABOUT MARCH 18, 2008.

**Sponsors:** Streets

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

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

*Councilman Johnson motioned, seconded by Councilman Street, 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 an unanimous vote**

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

**Absent:** 1 - Judy Furr

Enactment No: O-EN-075-2008

**ORD-08:099**

AN ORDINANCE TO REPEALING ORDINANCE 3641 AND ADOPTING BY REFERENCE A CERTAIN TECHNICAL CODE ENTITLED THE STORMWATER MANAGEMENT REGULATIONS AND THE STORMWATER DRAINAGE DESIGN MANUAL

**Sponsors:** Engineering

**Attachments:** [Stormwater Drainage Design Manual - Final](#)  
[Stormwater Board Minutes 102308](#)

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

*Councilman Street asked for the ordinance to be held at one reading, so everyone has time to exam the technical code and ask any questions needed.*

**This Ordinance was Held at one reading.**

**ORD-08:102** AN ORDINANCE AMENDING THE 2008 BUDGET ORDINANCE FOR THE CITY OF JONESBORO

**Sponsors:** Finance

**Attachments:** [Appropriation Adjustment 2008-dcs-11-13-2008 FINAL Requested Appropriation Increase for Fuel-OCTOBER-HJ-11-12-08](#)

*Councilman Williams offered the ordinance for first reading by title only.*

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

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

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

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

**Absent:** 1 - Judy Furr

Enactment No: O-EN-076-2008

#### *Resolutions To Be Introduced*

**RES-08:183** A RESOLUTION TO Condemn property at 632 W Huntington

**Sponsors:** Code Enforcement

**Attachments:** [CONDEMNATION CHECKLIST.doc](#)  
[632 Huntington Building Inspection Report.doc](#)  
[100\\_0675.JPG](#)  
[100\\_0676.JPG](#)  
[100\\_0677.JPG](#)  
[100\\_0678.JPG](#)

*No opposition was voiced.*

**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 - Darrel Dover;Faye McCall;Ann Williams;Charles Frierson;Cecil Province;Jim Hargis;Chris Moore;Harold Perrin;John Street;Mitch Johnson and Tim McCall

**Absent:** 1 - Judy Furr

Enactment No: R-EN-147-2008

**RES-08:187** A RESOLUTION TO Condemn property at 328 N. Bridge.

**Sponsors:** Code Enforcement

**Attachments:** [328 N Bridge St Building Inspection Report.doc](#)  
[CONDEMNATION CHECKLIST.doc](#)  
[100\\_0608.JPG](#)  
[100\\_0609.JPG](#)  
[100\\_0610.JPG](#)  
[100\\_0611.JPG](#)

*Mr. James Butler stated he wasn't aware he had to purchase a permit to stop the condemnation proceedings. He explained he has the permit now and intends to bring it back up to code. Councilman Moore noted Mr. Butler will still have time to bring the property up to code even if the resolution is passed. Code Enforcement Officer Ronnie Shaver noted in the letter Mr. Butler received it states there is an option to purchase permits. Mayor Formon asked for Mr. Shaver to meet with Mr. Butler to inform him of his options.*

**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 - Darrel Dover;Faye McCall;Ann Williams;Charles Frierson;Cecil Province;Jim Hargis;Chris Moore;Harold Perrin;John Street;Mitch Johnson and Tim McCall

**Absent:** 1 - Judy Furr

Enactment No: R-EN-148-2008

**RES-08:188** A RESOLUTION TO Condemn property at 103 E. Word

**Sponsors:** Code Enforcement

**Attachments:** [103 Word St Building Inspection Report.doc](#)  
[CONDEMNATION CHECKLIST.doc](#)  
[100\\_0466.JPG](#)  
[100\\_0468.JPG](#)  
[100\\_0467.JPG](#)  
[100\\_0469.JPG](#)

*Mr. Patrick Hilson explained there are two structures on the property, one which has been destroyed already and a permit has been received to demolish the other property. Mr. Shaver noted Mr. Hilson has demolished the one structure. He noted they still have a time frame in which to destroy the other structure.*

**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 - Darrel Dover;Faye McCall;Ann Williams;Charles Frierson;Cecil Province;Jim Hargis;Chris Moore;Harold Perrin;John Street;Mitch Johnson and Tim McCall

**Absent:** 1 - Judy Furr

Enactment No: R-EN-149-2008

**RES-08:189** A RESOLUTION TO Condemn property at 825 Burke

**Sponsors:** Code Enforcement

**Attachments:** [CONDEMNATION CHECKLIST.doc](#)  
[825 Burke Ave Building Inspection Report.doc](#)  
[100\\_0421.JPG](#)  
[100\\_0422.JPG](#)  
[100\\_0423.JPG](#)  
[100\\_0424.JPG](#)

*No opposition was voiced.*

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

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

**Absent:** 1 - Judy Furr

Enactment No: R-EN-150-2008

**RES-08:190** A RESOLUTION TO Condemn property at 311 N. Bridge.

**Sponsors:** Code Enforcement

**Attachments:** [CONDEMNATION CHECKLIST.doc](#)  
[311 N Bridge Building Inspection Report.doc](#)  
[100\\_0244.JPG](#)  
[100\\_0248.JPG](#)  
[100\\_0250.JPG](#)  
[100\\_0245.JPG](#)  
[CONDEMNATION CHECKLIS1.doc2.doc](#)

*No opposition was voiced.*

**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 - Darrel Dover;Faye McCall;Ann Williams;Charles Frierson;Cecil Province;Jim Hargis;Chris Moore;Harold Perrin;John Street;Mitch Johnson and Tim McCall

**Absent:** 1 - Judy Furr

Enactment No: R-EN-151-2008

**8. Unfinished Business**

**9. Mayor's Reports**

**10. City Council Reports**

*Councilman Moore discussed a recent incident at The Grove Apartments. He noted the apartments have been open 90 days and the Police Department has been there 148 times. He stated they have to find some way for the Police Department to address repeated complaints to the same location. He added the City has spent upwards of \$50,000 to take care of the problems in that area, with three officers*

being injured in the process. Police Chief Michael Yates explained he has spoken with City Attorney Phillip Crego regarding a disorderly house ordinance and is desperately working to find a tool that will work in Arkansas regarding these issues. He noted there are laws regarding nuisance abatement, but it can be time consuming to push something like that through. Mr. Crego stated the first one took about twelve months, but he doesn't see that problem for the future. Chief Yates explained there has also been discussion of a managerial responsibility ordinance concerning how business is conducted. He stated he will be looking into that because a lot of responsibility is placed on management to control what goes on in the complexes. Councilman Moore asked for Chief Yates to have some idea of where they should proceed and present it at the next Public Safety meeting.

Councilman Johnson questioned the status of the new facilities for Streets and Sanitation. City Engineer Craig Light stated they have received a contract from the architect and are reviewing it. He added they hope to present it to the Council in December. He explained they also will be advertising for possible sites for the new facility. He noted it will take a year or two to get the facility built, but they are moving forward with the project. Councilman Johnson then questioned the problems with the septic system. Mr. Light stated the design person for the septic system is finishing up his plans and is getting the Health Department to approve them. He explained they found a storm drain hooked up to the sewer system that is causing it to fill up faster than needed, but the problem has been fixed. He stated they will continue to pump the system every other day if needed. Councilman Johnson explained he visited the site recently. He asked for someone to look at the black areas on the ceilings. He also expressed concern as to safety issues with the building settling. Mayor Formon asked Mr. Light to get someone to test the vents and for someone to check the building for structural problems.

Councilman Street stated Ms. Dorothy Rose from Arkansas Highway and Transportation Department made the final presentation concerning the Intelligent Transportation System architecture at the MPO meeting. He explained Jonesboro is required to have the ITS architecture in place due to Jonesboro's MSA status. He further explained the rough draft will be out in January and taken to the technical committee as well as the MPO policy committee for adoption in February. He stated it is needed for compliance for federal grants.

Councilman Street commended the Police Department for their work.

**11. Public Comment**

**12. Adjournment.**

**A motion was made by Councilman Harold Perrin, seconded by Councilman John Street, that this meeting be Adjourned. The motion CARRIED by a Voice Vote.**

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

**Absent:** 1 - Judy Furr

\_\_\_\_\_  
Doug Formon, Mayor

Date: \_\_\_\_\_

\_\_\_\_\_  
Donna Jackson, City Clerk

Date: \_\_\_\_\_