



City of Jonesboro

Municipal Center
300 S. Church Street
Jonesboro, AR 72401

Meeting Minutes Public Safety Council Committee

Tuesday, June 20, 2017

5:00 PM

Municipal Center

1. Call To Order

[play video](#)

2. Roll Call by City Clerk Donna Jackson

[play video](#)

Present 5 - Gene Vance;Chris Gibson;Chris Moore;Mitch Johnson and David McClain

3. Approval of minutes

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MIN-17:056

Minutes for the Public Safety Committee meeting on May 16, 2017

[play video](#)

Attachments: [Minutes](#)

A motion was made by Councilman Chris Moore, seconded by Councilman Chris Gibson, that this matter be Passed . The motion PASSED with the following vote.

Aye: 4 - Gene Vance;Chris Gibson;Chris Moore and David McClain

MIN-17:062

Minutes for the special called Public Safety Committee meeting on June 6, 2017

[play video](#)

Attachments: [Minutes](#)

A motion was made by Councilman Chris Moore, seconded by Councilman Chris Gibson, that this matter be Passed . The motion PASSED with the following vote.

Aye: 4 - Gene Vance;Chris Gibson;Chris Moore and David McClain

4. New Business

[play video](#)

Resolutions To Be Introduced

[play video](#)

RES-17:063

RESOLUTION BY THE CITY COUNCIL OF THE CITY OF JONESBORO, ARKANSAS to condemn property located at 203 W. Forrest, Owner: Brenda Fletcher

[play video](#)

Attachments: [203 Forrest Inspection Report](#)

[county data](#)

[Title Search](#)

[pic 1](#)

[pic 2](#)

[pic 3](#)

Code Enforcement Officer Michael Tyner stated this is a vacant property. He attempted to notify the owner via certified mail, but haven't received a response. The floors, walls and ceiling are falling in.

A motion was made by Councilman Chris Gibson, seconded by Councilman Chris Moore, that this matter be Recommended to Council . The motion PASSED with the following vote.

Aye: 4 - Gene Vance;Chris Gibson;Chris Moore and David McClain

RES-17:064

RESOLUTION BY THE CITY COUNCIL OF THE CITY OF JONESBORO, ARKANSAS to condemn property located at 501 Marshall, Owner: Wendell Parrish

[play video](#)

Attachments: [501 Marshall](#)

[county data](#)

[Title Search](#)

[pic3](#)

[pic2](#)

[pic1](#)

Councilman McClain asked if the condemnation resolutions were going to be walked on tonight. Mr. Tyner answered no.

Mr. Tyner stated this is a duplex located on Marshall Street that is burned. It looks to be a total loss. He attempted to contact Mr. Parrish via the last known address, but the letter was returned unclaimed.

A motion was made by Councilman Chris Gibson, seconded by Councilman Chris Moore, that this matter be Recommended to Council . The motion PASSED with the following vote.

Aye: 4 - Gene Vance;Chris Gibson;Chris Moore and David McClain

RES-17:065

RESOLUTION BY THE CITY COUNCIL OF THE CITY OF JONESBORO, ARKANSAS to condemn property located at 615 E. Word, Owner: Charles Mabry, DBA Mabry Properties and Holdings LLC.

[play video](#)

Attachments: [615 Word](#)
[county data](#)
[Title Search](#)
[pic1](#)
[pic2](#)
[pic3](#)

Mr. Tyner explained this is a vacant property. The foundation and floors are in a severely deteriorated condition. He attempted to contact the owner via certified mail, but it came back unclaimed.

A motion was made by Councilman Chris Gibson, seconded by Councilman David McClain, that this matter be Recommended to Council . The motion PASSED with the following vote.

Aye: 4 - Gene Vance;Chris Gibson;Chris Moore and David McClain

RES-17:066

RESOLUTION BY THE CITY COUNCIL OF THE CITY OF JONESBORO, ARKANSAS to condemn property located at 208 Maple, Owner: Ronald White, Jr.

[play video](#)

Attachments: [county data](#)
[Inspection report](#)
[Title Search](#)
[pic3](#)
[pic2](#)
[pic1](#)

Mr. Tyner stated this property is vacant as well. The foundation and floors show severe damage. There's also some roof and water damage to the interior. He attempted to contact the owner via certified mail with no response.

A motion was made by Councilman Chris Gibson, seconded by Councilman David McClain, that this matter be Recommended to Council . The motion PASSED with the following vote.

Aye: 4 - Gene Vance;Chris Gibson;Chris Moore and David McClain

RES-17:077

RESOLUTION BY THE CITY COUNCIL OF THE CITY OF JONESBORO, ARKANSAS to condemn property located at 2303 Court, Owner: Eddie Combs

[play video](#)

Attachments: [2303 Court inspection report](#)
[county data](#)
[Limited Title Search](#)
[pic3](#)
[pic2](#)
[pic1](#)

Mr. Tyner noted this property is vacant and in the process of a bank foreclosure. The foundation and floors are in a severely deteriorated condition. The owner advised him the bank is in the process of foreclosing on the property, so he is in the process of contacting them as well.

A motion was made by Councilman Chris Gibson, seconded by Councilman

Chris Moore, that this matter be Recommended to Council . The motion PASSED with the following vote.

Aye: 4 - Gene Vance;Chris Gibson;Chris Moore and David McClain

RES-17:078

RESOLUTION BY THE CITY COUNCIL OF THE CITY OF JONESBORO, ARKANSAS to condemn property located at 4719 Industrial, Owner: Robert and Louetta Guy

[play video](#)

Attachments: [4719 Industrial](#)
[county data](#)
[Limited Title Search](#)
[pic3](#)
[pic2](#)
[pic1](#)

Mr. Tyner stated this property is vacant with severe damage to the floors and roof to the extent there's a tress growing inside of the property. It's a manufactured home. The owners received service on the letter, but have not contacted his office with a plan of action to remove the property.

A motion was made by Councilman Chris Gibson, seconded by Councilman Chris Moore, that this matter be Recommended to Council . The motion PASSED with the following vote.

Aye: 4 - Gene Vance;Chris Gibson;Chris Moore and David McClain

RES-17:079

RESOLUTION BY THE CITY COUNCIL OF THE CITY OF JONESBORO, ARKANSAS to condemn property located at 1020 Hope, Owner: Gary Toombs

[play video](#)

Attachments: [county data](#)
[inspection report](#)
[Limited Title Search](#)
[pic3](#)
[pic2](#)
[pic1](#)

Mr. Tyner explained this property is vacant. It's his understanding Mr. Toombs has been taken into care by Adult Protective Services and is currently in a nursing home. The property is in dilapidated condition with deteriorating foundation and roof. It's unsecure. Patrol officers have had some incidents as there.

A motion was made by Councilman Chris Gibson, seconded by Councilman Chris Moore, that this matter be Recommended to Council . The motion PASSED with the following vote.

Aye: 4 - Gene Vance;Chris Gibson;Chris Moore and David McClain

RES-17:080

A RESOLUTION OF THE CITY OF JONESBORO, ARKANSAS AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH CRAIGHEAD COUNTY AND OTHER CITIES WITHIN CRAIGHEAD COUNTY TO PROVIDE PROBATION SERVICES FOR CRAIGHEAD COUNTY DISTRICT COURT

[play video](#)

Attachments: [Probation services contract](#)

Mayor Perrin asked that this item be moved on to the City Council tonight. Everyone is familiar with this item. This is related to the probation services. Most of the other cities have come in to sign. Bono is handling theirs at their City Council meeting tonight, so they can sign the agreement this week. This will allow the police chief to be ready on July 1 to start the probation services.

A motion was made by Councilman Gene Vance, seconded by Councilman Chris Gibson, that this matter be Recommended to Council . The motion PASSED with the following vote.

Aye: 4 - Gene Vance;Chris Gibson;Chris Moore and David McClain

RES-17:086

A RESOLUTION TO THE CITY OF JONESBORO TO PLACE VARIOUS TRAFFIC SIGNS AT DESIGNATED LOCATIONS AS DETERMINED BY THE TRAFFIC CONTROL COMMITTEE

[play video](#)

A motion was made by Councilman Chris Moore, seconded by Councilman Gene Vance, that this matter be Recommended to Council . The motion PASSED with the following vote.

Aye: 4 - Gene Vance;Chris Gibson;Chris Moore and David McClain

5. Pending Items

[play video](#)

6. Other Business

[play video](#)

COM-17:036

Traffic Control Committee Report

[play video](#)

Attachments: [Presentation](#)
[Where to Ride Law Information](#)

Traffic Engineer Mark Nichols stated the Traffic Control Committee had received requests to put up "Bicyclists may use full lane signs" on Matthews from Main Street to Marion Berry and also around Craighead Forest in the loop and Access Drive. They debated it heavily and received a lot of input from the bicycle community. Currently, state law says bicyclists can use the roadway. He read from PowerPoint slides detailing the information (see attached presentation). He read from Arkansas Code 27-49-111, which is an older law. Their initial thoughts were the bicyclists have the rights to use the roadway, so the signs wouldn't be applicable. But, upon further investigation 42 states give bicyclists give guidance as to where they can ride within the lane, typically being as far into the right-hand lane as possible. Taking that information into consideration, as well as the feedback from the bicycle community, they felt it may be a little premature to install the signs at this time. Due to the lack of guidance in Arkansas State law, they feel like their first step should be to draft a "where to ride" ordinance. The American League of Bicyclists has given them some

models to go by. Several communities in Arkansas have adopted something similar. This is a typical first step to give more clarification. That being said, the committee voted to not install the signs at this time until they can investigate it further and look into the Where to Ride Law. In addition to drafting an ordinance, they would like to get more public input.

Councilman Moore stated he was always under the impression that a bicycle has the same rights on the road as a motorcycle. Mr. Nichols answered that is correct. Councilman Moore asked if it was right to deduct that a bicycle has the right to use a whole lane of traffic. Mr. Nichols answered yes, it comes down to speed. For instance, if it's a 35 mph speed zone then it would be wise to ride on the right-hand side. Councilman Moore noted the only difference he saw is that non-motorized bicycles are banned from some interstates. Mr. Nichols stated that is correct, they are banned from freeways. He reiterated that in 42 out of 50 states, they give guidance to state bicycles should be as far to the right as applicable in a traffic lane.

Councilman Moore then questioned, unless there's a change in state law, what law the city would be usurping by putting up the signs stating bicycles can use the full lane. Mr. Nichols explained that while the law says bicycles can use the full lane, Arkansas is behind the times. He thinks there is a general perception the bicycles should be as far right in the road as possible to help in passing. The Where to Ride ordinances, such as the one Fayetteville, typically give some of the discretion to the bicyclist. They encourage them to ride as far to the right as possible, but if they perceive it to be a dangerous situation then the rider can move to the center of the lane. Then there comes into question times when there is a double yellow lane, indicating bicyclists cannot be passed. There are still some challenges.

Councilman Moore asked if, due to the confusion, the signs would provide some clarification noting the bicycle has the right to use the full lane. Councilman McClain stated he thinks it would. For instance, people think bicycles should be on the sidewalk, when they should actually be on the road. He thinks the signs would give a lot of education and clarity to the subject. He wishes they could review it again and come to a different conclusion, but he does think they need to do something.

Mr. Nichols added it's also about safety. It's not that they don't have the right to be there; rather, it may not be the safest place for them to be. That's why they think the Where to Ride Law is a good first step to give the bicyclists the liberty in certain situations to determine whether staying to the furthest right is their safest situation.

Councilman Vance stated he likes their recommendation. It's not that they won't put the signs ever, but that they would write legislation to better clarify what the state law says. He's a stubborn motorist, but there could also be some stubborn bicyclist. If they could give some direction for bicyclists to stay as far to the right as possible would be better than just putting up signs. If they just start putting up signs, it would be hard to change that in the future if they want. Councilman Gibson noted they just need to nail down a timeline on the process.

Councilman Moore stated he doesn't know much about bicycle legislation, but does know about motorcycles. In the late 80s and early 90s, research showed that motorcycles riding to the furthest right would be more often subjected to motorists doing a short pass to go around the motorcycles or being involved in a serious accident. But, if they rode further the left hand side of the lane they were less likely for motorists to try completing a short pass. He's not sure if it's safer to ride in the right-half of the traffic lane as opposed to the left. But, state law is clear and says they have the right to the lane, so until state law changes he doesn't think there's any reason to pass further legislation to clarify state law. The Attorney General has

pointed out that a City Council cannot pass any ordinance that supersedes and/or limits state law. She has recently ruled against two cities in Arkansas that tried to pass taxes that went against state law. If Jonesboro tried to pass an ordinance that dictated how a bicycle can or cannot use the public roadway, then he thinks the city would find themselves in a similar situation in a lawsuit.

Mr. Nichols noted that the American League of Bicyclists has indicated that sign is more applicable on narrow roadways and is not a blanket sign. Councilman Moore agreed, adding he doesn't think there would be any sign that would be used in all situations.

Mr. Steve Ewart, 212 Windover, stated he's hearing good dialogue and he likes that. He agrees with Councilman Moore in that no matter what the Council does, state law is state law. He added if they want bicyclists to ride as far right as possible, he asked that the streets please be cleaned. There's yard waste, bolts, nails, substandard patching. If he's riding as far right as possible and comes upon some substandard patching, then he'll have to move to left. He asks that that be addressed as well.

This item was Read.

7. Public Comments

[play video](#)

8. Adjournment

[play video](#)

A motion was made by Councilman Chris Moore, seconded by Councilman Gene Vance, that this meeting be Adjourned . The motion PASSED with the following vote.

Aye: 4 - Gene Vance;Chris Gibson;Chris Moore and David McClain