



City of Jonesboro

Municipal Center
300 S. Church Street
Jonesboro, AR 72401

Meeting Minutes City Council

Tuesday, October 4, 2016

5:30 PM

Municipal Center

PUBLIC WORKS COMMITTEE MEETING AT 5:00 P.M.

[play video](#)

PUBLIC HEARING AT 5:25 P.M.

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No one spoke in opposition to the issuance of Taxable Industrial Development Bonds.

1. CALL TO ORDER BY MAYOR PERRIN AT 5:30 P.M.

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2. PLEDGE OF ALLEGIANCE AND INVOCATION

[play video](#)

3. ROLL CALL BY CITY CLERK DONNA JACKSON

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Present 12 - Darrel Dover; Ann Williams; Charles Frierson; Chris Moore; John Street; Mitch Johnson; Gene Vance; Chris Gibson; Rennell Woods; Charles Coleman; Todd Burton and Robert Long

4. SPECIAL PRESENTATIONS

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5. CONSENT AGENDA

[play video](#)

Approval of the Consent Agenda

A motion was made by Councilman Chris Moore, seconded by Councilman Gene Vance, to Approve the Consent Agenda. The motioned PASSED

Aye: 12 - Darrel Dover;Ann Williams;Charles Frierson;Chris Moore;John Street;Mitch Johnson;Gene Vance;Chris Gibson;Rennell Woods;Charles Coleman;Todd Burton and Robert Long

MIN-16:122

Minutes for the City Council meeting on September 20, 2016

[play video](#)

Attachments: [Minutes](#)

This item was passed on the Consent Agenda.

MIN-16:123

Minutes for the special called City Council meeting on September 27, 2016

[play video](#)

Attachments: [Minutes](#)

This item was passed on the Consent Agenda.

RES-16:104

A RESOLUTION APPROVING AND ADOPTING THE CONTENTS OF THE POLICY AND PROCEDURES MANUAL OF THE POLICE DEPARTMENT IN THEIR ENTIRETY

[play video](#)

Attachments: [Policy and Procedures Manual](#)
[Policy and Procedures Manual with revisions](#)

This item was passed on the Consent Agenda.

RES-16:128

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

[play video](#)

This item was passed on the Consent Agenda.

RES-16:129

A RESOLUTION AUTHORIZING THE CITY OF JONESBORO TO ENTER INTO AGREEMENT WITH THE U.S. DEPARTMENT OF JUSTICE AND ACCEPT THE 2016 JAG GRANT

[play video](#)

Attachments: [AWARD_REPORT_09142016](#)

This item was passed on the Consent Agenda.

RES-16:131

A RESOLUTION TO SUBMIT THE ASSESSMENT FOR FAIR HOUSING TO U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD) FOR THE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FIVE -YEAR CONSOLIDATION PLAN

[play video](#)

Attachments: [Cover Sheet - AFH Plan HUD AFH Final \(2\).pdf](#)

This item was passed on the Consent Agenda.

6. NEW BUSINESS

[play video](#)

ORDINANCES ON FIRST READING

[play video](#)

ORD-16:056

AN ORDINANCE AUTHORIZING THE CITY OF JONESBORO TO AMEND THE 2016 ANNUAL BUDGET FOR THE POLICE DEPARTMENT AND DECLARING AN EMERGENCY FOR THE OPERATIONAL CONTINUITY OF THE CITY OF JONESBORO, ARKANSAS

[play video](#)

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

Mayor Perrin stated that this came out of Finance. It is for \$2,476 to take care for the year for the new Police Sergeant's position that was created. Councilman Street moved and Councilman Moore seconded that we suspend the rules and waive the second and third readings. All voted aye.

After passage of the ordinance, Councilman Street motioned, seconded by Councilman Gibson to adopt the emergency clause. All voted aye.

A motion was made by Councilman Mitch Johnson, seconded by Councilman John Street, that this matter be Passed . The motion PASSED with the following vote.

Aye: 12 - Darrel Dover;Ann Williams;Charles Frierson;Chris Moore;John Street;Mitch Johnson;Gene Vance;Chris Gibson;Rennell Woods;Charles Coleman;Todd Burton and Robert Long

ORD-16:068

AN ORDINANCE AUTHORIZING THE CITY OF JONESBORO TO AMEND THE 2016 ANNUAL BUDGET FOR THE FIRE DEPARTMENT

[play video](#)

Attachments: [Exhibit A Fire Plan Steps.pdf](#)
[Salary Administration Plan October 2016.pdf](#)

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

Councilman Dover said that he would like for City Attorney Carol Duncan and Chief Financial Officer Suzanne Allen to get together to produce one resolution for all three plans, to tidy up some legal issues that we have discovered. Councilman Moore asked if it would appear on the next agenda. Councilman Dover stated that he hopes they can do the second and third reading in two weeks. City Attorney Carol Duncan said she hopes they have a resolution prepared for Council on all three plans whether it is three different resolutions or one resolution that incorporates all three plans, but we are trying to combine it. Both Councilman Dover and Ms. Duncan said they hope to present it at the next Council meeting.

A motion was made by Councilman Darrel Dover, seconded by Councilman Chris Moore, that this matter be Held at one reading . The motion PASSED with the following vote.

Aye: 12 - Darrel Dover;Ann Williams;Charles Frierson;Chris Moore;John Street;Mitch Johnson;Gene Vance;Chris Gibson;Rennell Woods;Charles Coleman;Todd Burton and Robert Long

ORD-16:069

AN ORDINANCE TO AMEND THE 2016 ANNUAL BUDGET AND THE JOHANSON PAY PLAN FOR THE CITY OF JONESBORO

[play video](#)

Attachments: [Exhibit A for Nonuniform](#)
[Exhibit B Step Plan with Joahnsn Min-Mid-Max](#)
[NEW PAY PLAN COMPARISON](#)
[Salary Administration Plan October 2016.pdf](#)

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

Councilman Gibson abstained from discussion and voting on this item because of potential conflict of interest.

A motion was made by Councilman Darrel Dover, seconded by Councilman Robert Long, that this matter be Held at one reading . The motion PASSED with the following vote.

Aye: 11 - Darrel Dover;Ann Williams;Charles Frierson;Chris Moore;John Street;Mitch Johnson;Gene Vance;Rennell Woods;Charles Coleman;Todd Burton and Robert Long

Abstain: 1 - Chris Gibson

ORD-16:070

AN ORDINANCE TO AMEND CHAPTER 117, KNOWN AS THE ZONING ORDINANCE PROVIDING FOR CHANGES IN ZONING BOUNDARIES FROM R-1 TO C-3 LUO FOR PROPERTY LOCATED AT 623 W. PARKER ROAD AS REQUESTED BY RALPH & MARY TAYLOR

[play video](#)

Attachments: [Plat](#)
[Application](#)
[Staff Summary - 623 W. Parker Road](#)
[Warranty Deed](#)

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

A motion was made by Councilman John Street, seconded by Councilman Charles Frierson, that this matter be Held at second reading . The motion PASSED with the following vote.

Aye: 12 - Darrel Dover;Ann Williams;Charles Frierson;Chris Moore;John Street;Mitch Johnson;Gene Vance;Chris Gibson;Rennell Woods;Charles Coleman;Todd Burton and Robert Long

ORD-16:071

AN ORDINANCE TO AMEND CHAPTER 117, KNOWN AS THE ZONING ORDINANCE PROVIDING FOR CHANGES IN ZONING BOUNDARIES FROM R-2 TO I-1 FOR PROPERTY LOCATED AT 1013 BURKE AVENUE AS REQUESTED BY JAMES CHAPLAIN

[play video](#)

Attachments: [Plat](#)
[Staff Summary - 1013 Burke Avenue](#)
[Application](#)

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

Councilman Moore moved and Councilman Woods seconded that we suspend the rules and waive the second reading and hold it. All voted aye.

A motion was made by Councilman Chris Moore, seconded by Councilman Rennell Woods, that this matter be Held at second reading . The motion PASSED with the following vote.

Aye: 12 - Darrel Dover;Ann Williams;Charles Frierson;Chris Moore;John Street;Mitch Johnson;Gene Vance;Chris Gibson;Rennell Woods;Charles Coleman;Todd Burton and Robert Long

ORD-16:072

AN ORDINANCE TO AMEND CHAPTER 117, KNOWN AS THE ZONING ORDINANCE PROVIDING FOR CHANGES IN ZONING BOUNDARIES FROM R-2 TO RM-12 FOR PROPERTY LOCATED AT 1007 AND 1103 COMMERCE DRIVE AS REQUESTED BY DEBBIE VETETO

[play video](#)

Attachments: [Application](#)
[Rezoning Plat](#)
[Staff Summary - 1007 and 1103 Commerce Drive](#)

Councilman Street offered by title only.

Councilman Moore asked if this was the rezoning that had some objection to it. Councilman Street noted that under the RM-12, they had some stipulations for buffers and things that would make it better. City Planner, Derrel Smith came to the podium to speak. He said doing it this way would allow you to require buffers. It is a possibility that it would be better doing it this way than each lot coming in for duplexes or triplexes that we have no control over and they would just be able to build them. Mayor Perrin asked what the desire of the Council for the First Reading. Councilman Moore asked that we just hold it there and we can pick it up and read it twice at the next meeting if we need to. Mayor Perrin said that we would leave ORD-16:072.

7. UNFINISHED BUSINESS

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ORDINANCES ON SECOND READING

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ORD-16:066

AN ORDINANCE TO AMEND CHAPTER 117, KNOWN AS THE ZONING ORDINANCE PROVIDING FOR CHANGES IN ZONING BOUNDARIES FOR PROPERTY LOCATED AT 3701 E. JOHNSON AS REQUESTED BY STONEBRIDGE CONSTRUCTION

[play video](#)

Attachments: [rezoning plat.pdf](#)
[Staff Summary RZ 16-21 3710 East Johnson Ave - City Council.pdf](#)
[3701 E Johnson Consent Order.pdf](#)
[3701 East Johnson Bldg 1-Permit Set.pdf](#)
[Aerial View of Location.pdf](#)
[Appeal Letter filed 05-29-12.pdf](#)
[Application.pdf](#)
[Legislation Details \(With Text\).pdf](#)
[MAPC Record of Proceedings.pdf](#)
[Plat of Survey.pdf](#)
[Photographs from July 17, 2012, meeting.pdf](#)

Mayor Perrin stated that prior to the meeting, we visited and the City Attorney can give you a better explanation on this. He said there were a lot of questions in the last meeting about signage, correct address, etc. so I am going to ask Ms. Duncan to give you a comment on that.

City Attorney Carol Duncan said this was a rezoning that was a result of litigation and a court order. Remember back to the Tyrer litigation where we came back to Council and adopted an ordinance that ratified what the court had done, we did not do that on this one and that's caused two steps of confusion. It turns out that the property in the front is the 3701 E. Johnson address and is zoned C-3 pursuant to the court order and it doesn't have a limited use overlay is what our understanding of the court order is. The property at the back that is adjacent to the private property owners has the LUO on it. There has also been conflicting information about signs. We have had staff and other people say they have seen the signs up in a timely manner where they were supposed to be and we have had neighbors say there were no signs that were ever posted. What we can agree on is that the notice that was published in the newspaper was incorrect. I think that is required under our ordinance to proceed as proper notice where part of that is the publication in the newspaper so I feel that we have to start over. It is unfortunate, but I think that is the legal thing to do is to start it over from the beginning and do it the proper way so that there is no question.

Councilman Gibson asked if we needed that in the form of a motion. Mayor Perrin stated that we need a motion to pull it indefinitely. It will have to be started over and go back to MAPC because the address is wrong. Councilman Frierson stated that the motion should be to send it back to the MAPC. Mayor Perrin stated that would be good and asked Councilman Frierson if that was his motion. Councilman Frierson said yes. Councilman Gibson seconded. All voted aye.

City Attorney Carol Duncan said in order to clean that up we may go ahead and present an ordinance certifying the court order on the front of the property so when you search that in Legistar, there is no question on how that is zoned and that it is properly zoned. Right now if you search it, it is not popping up and that's where part of the confusion was because we didn't ratify that court order so it is not in our Legistar system anywhere when you search that property address.

Councilman Moore said his two concerns from the last meeting were the correction of the address and do the front property and the back property share the same address. Ms. Duncan said no. She said there are three different addresses and that is part of the notification problem. Mayor Perrin stated that they met with the developer prior and some of the addresses on it are 3611, 3637 Suite A and B. What the City Attorney is saying is that the front part is zoned C-3. The problem is that the back part is not. It is LUO. Councilman Moore asked if they were going to verify the legal

description of the property to make sure that we are talking about the right property. Mayor Perrin said that is correct. Ms. Duncan said and to make sure it is published correctly.

Councilman Long asked when this was developed was there an agreement between the property owners and the developer. Ms. Duncan said there was an agreement as far as an agreed order entered in the court case. It was appealed from here to circuit court and I believe they met and reached an agreement. The City was not involved in that. I think the developer at that time and the property owners reached some type of agreement that everybody was in agreement with and a court order was entered. Councilman Long asked what that agreement was. Ms. Duncan said it was the C-3 LUO on the back two properties and C-3 on the front property according to that court order. We are going to verify that and make sure. We may come back with an ordinance ratifying the front part of that property so that it is clean in Legistar.

Mayor Perrin said it is his understanding that the developer wants to change that back part and add into that what could be retail and that is not what was in the court order. Ms. Duncan said that use is not in the court order. They are asking to change the LUO from daycare limited to daycare general and to add some retail and to remove something. Councilman Long said that is different than what they had originally agreed to. Ms. Duncan said it was different than the court order and that's why it starts over as a whole new rezoning. Mayor Perrin said you need to pull it all back and start all over and make sure it is all correct.

John Hatcher, 3105 Maplewood Drive, came to the podium to speak. He said he has lived there for 34 years. He said he has a question about the court order and the dates. City Attorney Carol Duncan said she wasn't sure what was attached in Legistar, but that they are going to get a copy of the court order from the court house that has the most recent court order that made the restriction. Mr. Hatcher said the dates do not coordinate. Mayor Perrin said that we would look into that.

A motion was made by Councilman Charles Frierson, seconded by Councilman Chris Gibson, that this matter be Postponed Indefinitely . The motion PASSED with the following vote.

Aye: 12 - Darrel Dover;Ann Williams;Charles Frierson;Chris Moore;John Street;Mitch Johnson;Gene Vance;Chris Gibson;Rennell Woods;Charles Coleman;Todd Burton and Robert Long

ORDINANCES ON THIRD READING

[play video](#)

ORD-16:057

AN ORDINANCE REPEALING A CERTAIN ORDINANCE ACCEPTING LANDS ANNEXED TO THE CITY OF JONESBORO, ARKANSAS, BY ORDER OF THE COUNTY COURT OF CRAIGHEAD COUNTY, ARKANSAS; ASSIGNING SAID ANNEXED TERRITORIES TO WARD 2; DECLARING THE ZONING FOR THE ANNEXED TRACT; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES

[play video](#)

Attachments: [Survey](#)
[1989 Order of Annexation](#)
[Ordinance 2242](#)
[County Judge's Letter](#)
[Letter from CWL](#)
[Aerial Photo](#)
[Letter Requesting Deannexation](#)
[De-Annex.PDF](#)

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

A motion was made by Councilman John Street, seconded by Councilman Todd Burton, that this matter be Passed . The motion PASSED with the following vote.

Aye: 12 - Darrel Dover;Ann Williams;Charles Frierson;Chris Moore;John Street;Mitch Johnson;Gene Vance;Chris Gibson;Rennell Woods;Charles Coleman;Todd Burton and Robert Long

ORD-16:058

AN ORDINANCE AMENDING APPENDIX 7 OF THE STORMWATER DRAINAGE DESIGN MANUAL

[play video](#)

Attachments: [ARR50000 - 2021](#)

Mayor Perrin said this ordinance is regarding building the elevations up on the houses.

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

Aye: 12 - Darrel Dover;Ann Williams;Charles Frierson;Chris Moore;John Street;Mitch Johnson;Gene Vance;Chris Gibson;Rennell Woods;Charles Coleman;Todd Burton and Robert Long

ORD-16:059

AN ORDINANCE AMENDING CHAPTER 112 OF THE JONESBORO MUNICIPAL CODE

[play video](#)

A motion was made by Councilman John Street, seconded by Councilman Mitch Johnson, that this matter be Passed . The motion PASSED with the following vote.

Aye: 12 - Darrel Dover;Ann Williams;Charles Frierson;Chris Moore;John Street;Mitch Johnson;Gene Vance;Chris Gibson;Rennell Woods;Charles Coleman;Todd Burton and Robert Long

ORD-16:062

AN ORDINANCE ADOPTING BY REFERENCE THE REPETITIVE LOSS AREA ANALYSIS (RLAA), CONSISTENT WITH THE NATIONAL FLOOD INSURANCE PROGRAM (NFIP) COMMUNITY RATING SYSTEM (CRS) REQUIREMENTS

[play video](#)

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

Aye: 12 - Darrel Dover;Ann Williams;Charles Frierson;Chris Moore;John Street;Mitch Johnson;Gene Vance;Chris Gibson;Rennell Woods;Charles Coleman;Todd Burton and Robert Long

ORD-16:065

AN ORDINANCE ABANDONING 10' OF 15' UTILITY EASEMENT ALONG REAR PROPERTY LINE FOR 25 LINEAL FEET LOCATED AT 2217 MASTERS DRIVE AS REQUESTED BY CHARLES & MELINDA PORTER

[play video](#)

Attachments: [Extra documentation](#)
[Petition](#)
[Plats](#)
[Utility Letters](#)
[Engineering & Planning Letter](#)

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: 12 - Darrel Dover;Ann Williams;Charles Frierson;Chris Moore;John Street;Mitch Johnson;Gene Vance;Chris Gibson;Rennell Woods;Charles Coleman;Todd Burton and Robert Long

8. MAYOR'S REPORTS

[play video](#)

Mayor Perrin stated he has asked Code Enforcement Lt. Todd Nelson to give a brief update on the building, the trailers, and the whole situation of the old Home Ice House at 700 Cate Street.

Lt. Nelson gave a powerpoint presentation on the Home Ice Company case. In 2013, Code Enforcement opened a case on it for unsightly/unsanitary conditions. The owner of record at that time was Samuel Rosse. Contact was made with Karen Siegel, a live-in acquaintance of Samuel Rosse III, the owner. She was told to start the clean up. They were given a time period of five months due to the amount of material that was on the property. In May of 2014 after not being able to contact Mr. Rosse, an affidavit was filed against him for violation of the ordinance. In that same month, we found out that he was incarcerated. We were unable to make contact with anyone with the Rosse Family about the clean up.

In July of 2014, some clean up was made, but we were still unable to make any contact with anyone of ownership. We contacted people who were working there and they were making a little bit of progress. In December 2014, we found out the Mr. Rosse was incarcerated in Federal Prison and we sent him a certified letter on the property. In January 2015, we started the condemnation process. The building inspector determined the building to be unsafe and electricity was cut to the building. During the same time period, Mr. Rosse transferred ownership to the Rosse Family Trust with Karen Siegel as Power of Attorney. In February 2015, the building was inspected by the Building Inspector and an Architectural Engineer. In April 2015, it was brought to the Public Safety committee for condemnation. In August 2015, it was condemned.

In September 2015, the Rosse Family Trust filed an appeal to the condemnation. We held off on efforts to try to get it cleaned up. They had made some progress. In March 2016, their appeal was dismissed with prejudice. We were informed by their

attorney that they had filed a second appeal. That appeal is still pending. They did make some progress, but we started getting complaints again. The fence that they had put up had fallen down. There was a tractor trailer that was parked out in front of it.

We started looking at creative ways to get it cleaned up. An estimate of \$8,000 came in for the cost of clean up. Since the taxpayer funds would likely not be recovered, other solutions were sought. Lt. Nelson's idea was to use inmate labor, but was told it was problematic because it was on private property. Using city resources and a recycling trailer supplied by TRG, we finally started to get it somewhat cleaned up. 3,220 pounds of metal was taken to TRG with the proceeds being used to offset the cost of dumping and administrative fees. Anything over those costs will be paid to the Rosse Family Trust. There was 3.69 tons of trash removed from the property. There are still inoperable vehicles on the property.

There is still a lot that has to be done on the clean up. The status of the appeal will determine our timeline for the demolition. The fence is currently standing and the property is screened. October 17, 2016 will be the follow up for the inoperable vehicles to be removed.

Councilman Moore asked about the house directly adjacent on the East side and if it was involved in the legal appeal. He asked if that property belonged to the Rosse Trust because they moved a bunch of vehicles in it's back yard when they started the clean up several months ago. He asked if the City was moving forward with condemnation on that house as well. Lt. Nelson stated that he not inspected that house for condemnation, but that yes, it does belong to the Rosse Family Trust. Councilman Moore asked if it was part of the appeal process. Lt. Nelson said no. Councilman Moore asked that we look at that house also for condemnation because it appears that it is in just of bad of shape and when they started to clean up, they just moved the inoperable vehicles behind the house.

Councilman Vance asked if the council could get a copy of Lt. Nelson's presentation. He said he would give a copy to the City Clerk Donna Jackson. Mayor Perrin said he would get it sent out to everyone tomorrow. Lt. Nelson said that it is his understanding that since the property and the adjacent properties are zoned industrial, they can have trailers on the property, but they have to be screened from any R-1 zoned property.

Mayor Perrin stated that our billing permits from last month were almost \$11.5 million combined with 63% being Commercial and 37% being Residential. It is down, but it is the time of the year that they will normally fall down.

Mayor Perrin stated that the Airport Commission was able to start a lease on the building that they had leased until about 6 or 7 months ago. Baker Engineering out of Little Rock is going to lease that. They will be getting the lease prepared. I have asked them to send it to me to look at. It will be the same dollar amount. Now we have someone in that building to keep it up.

Mayor Perrin stated that on the striping for the City of Jonesboro, we have done about 229 miles and that's getting close to the whole city being complete. The new machine that you all approved a year ago is 2.5 times faster than the machine we had before. This one has both the yellow and the white. Mayor Perrin stated he appreciates Street Superintendent Steve Tippitt and his crew for all the work they have done. Mayor Perrin said by the end of this month, all of the major channels of ditches should be mowed. The Prison System in Newport has done a great job in the clean up process. After the major channels are complete, the Street Department will

get out to the lateral ditches to get them cleaned up.

Mayor Perrin stated that the JETS System got two new buses in last week. He said he thinks we have two more coming, but the process is cumbersome and takes some time. The buses we received were for 2015 and the next two will be for 2016.

Mayor Perrin wanted to remind everyone that after the council meeting, that it is National Night Out. He said he went to visit a site this afternoon before the council meeting, but there are about four locations in town that you can go to. I would suggest that if you have time to go by and visit that you do so. They have booths that are set up for all of the organizations and the services that they provide. The one they went to on Bridge Street had a great setup.

Mayor Perrin stated that he gave out a copy of a photo of the Caraway Sidewalk that has been completed and you can see the before and after and what this is doing for our city through our CDBG money and through our grants.

COM-16:088

Code Enforcement Update for 700 Cate Street

Attachments: [700 Cate St.pdf](#)

9. CITY COUNCIL REPORTS

[play video](#)

Councilman Street stated that we had a request from the Public Works Committee earlier this evening to walk on RES-16:136. Councilman Street motioned, seconded by Councilman Johnson, to suspend the rules and place RES-16:136 on the agenda. Councilman Vance abstained from the discussion and voting on this item because he is involved in the construction project. All voted aye, with the exception of Councilman Vance.

RES-16:136

A RESOLUTION TO THE CITY OF JONESBORO, ARKANSAS TO ACCEPT THE LOW BID AND ENTER INTO A CONTRACT WITH VANCE CONSTRUCTION SOLUTIONS, LLC FOR THE CRAIGHEAD FOREST PARK TRAILHEAD (2016:32)

Attachments: [Bid Tab](#)
[Contract Documents 2016 32](#)

Councilman Street moved, seconded by Councilman Long to adopt RES-16:136. Councilman Vance abstained from the discussion and voting on this item because he is involved in the construction project. All voted aye, with the exception of Councilman Vance.

A motion was made by Councilman John Street, seconded by Councilman Robert Long, that this matter be Passed . The motion PASSED with the following vote:

Aye: 11 - Darrel Dover;Ann Williams;Charles Frierson;Chris Moore;John Street;Mitch Johnson;Chris Gibson;Rennell Woods;Charles Coleman;Todd Burton and Robert Long

Abstain: 1 - Gene Vance

Councilman Street said the sidewalks on Caraway Road look really good.

Councilman Wood wanted to note that he wanted to thank Lt. Todd Nelson and Chief Elliott for this past weekend. We had an opportunity to have our second annual golf outing with our youth involving Law enforcement and training. It went very well. I would also like to thank the officers that participated in that this year and that cooked out for the young men downtown. Some of the members of our new Citizen Advisory Committee attended. It was very empowering and powerful. It went very smooth. Considering what is going on in our nation, the feelings of the culture are real and when you get a lot of groups together, the engagement can be educational and enlightening. I want to thank everyone that is supportive of that event. We are making a difference in our community.

Councilman Long wanted to reiterate the resources that this city has for its citizens, especially for those in need. Last weekend, he went out to the Pregnancy Resource Center Fun Run and it was a great event. He wanted to thank everyone and note how blessed our city is to have these resources.

Councilman Burton stated they had a Special Called Meeting of the Nominating and Rules Committee. He appreciates everyone that came and all of the input. He thinks they had a really good discussion and a lot of things came out. He's had some other feedback since then that he will be passing on to City Attorney Carol Duncan. We need to get back together to shore that up and vote on some things. The next meeting was agreed upon to be on Tuesday, October 25th at 5:00 p.m. While speaking with some other council members, there are some questions on how to call special called meetings and we want to shore some things up. City Attorney Carol Duncan stated that if anyone wants to send some language on that, we can have some tentative language on changes they might want to make to called meetings.

Councilman Gibson stated that Tim McCall will be here next week to thank individuals and individual departments for another great BBQ Festival for the City. It was an excellent turnout from what he could tell.

Councilwoman Williams stated she recently received an email from a citizen wondering why First National Bank was granted a waiver as far as sidewalk construction on East Johnson because this is now required in commercial development. She was wondering why that is that would be the case because as demonstrated by the lack of sidewalks on Caraway for many years, we are now having to play catch up. And now, with this effort to make sure that we don't get further behind on sidewalks, I am just questioning why that waiver was granted.

City Planner Derrel Smith said the way the ordinance is written you either have to build the sidewalk or you can ask for a waiver. There is no bonding option. You just install it or waive it. They came to MAPC and the engineer stated that the elevation changes were making it difficult to install a sidewalk. The Highway Department had requested to not have a sidewalk in the area because of open ditches. With that information, the MAPC went ahead and waived it. We are wanting to change that in the future so that there is another option that if they do not want to put it in, they can put a bond up for it. The ordinance doesn't require that yet. Councilwoman Williams asked if this was something they need to address. Mr. Smith stated he has several items he needs to get with City Attorney Carol Duncan on and that is one of them.

Mayor Perrin stated that he has asked Mr. Smith to go back and look at our

ordinances and he is in the process of doing that and recommending changes. It needs to go to Ms. Duncan to review before they send it out. He would like to send it out to council before the meeting in the next few weeks so you all can look at it, read it, and study it so that we do not have to do it on the council floor. Once we get her approval on that, we will get it out to you.

Councilman Moore said he agrees with Councilwoman Williams and that there needs to be some other option other than waiving it.

Councilman Vance stated that he may possibly be out of town on October 25th, but he will try to catch up.

10. PUBLIC COMMENTS

[play video](#)

Larry McElroy, 1005 Commerce Drive, came to speak. On Ordinance-16:072, you asked the City Planner to come up and speak, but you didn't ask for any other comments or questions. I do not want to give up my opportunity to say that I am against that rezoning because it is right next door to my house. I have some other things I can talk about. I know the council meeting is over with right now and you are wanting to go home, but I do want to say some things to the council about that rezoning either tonight or at the next meeting.

Mayor Perrin stated that it would be good if he could do it at the next council meeting when that comes up on the 18th. He apologized for not asking about that.

Keith Veteto, 1007 Commerce, came to speak. He lives right next door to Mr. McElroy where they are trying to do the rezoning. When we started to sell the houses there, we had them for sale by owner for a year and didn't get any response to that. We got some response, but no one to buy. Since that time, they have been talking about a road going through there and I know the one cent sales tax was for that and it didn't pass. He said he has seen it on the State part. Mayor Perrin stated that was on the STIP and we are only allocated for so much money for projects. He said he would be glad to sit down with him to show him what's on that. Mr. Veteto said his point is that they have been trying to sell it as individual homes and have not been able to and we have been in discussion with this developer for about 2.5 years and we finally got a contract on it. His stipulation was that it be rezoned to RM-12 which is my understanding only changes the possible beautification control of the property. I wanted to let you know that we have been striving to do right.

Harold Carter, 902 Toni Drive, came to speak. He wants to take this opportunity to say something good. He stated he is complementary of the sidewalks on both sides of Caraway Road. He said that it is much appreciated.

Eddie Perciful, resident of Jonesboro, came to speak. She wanted to talk about the 911 system and how better protocols could be put in place for those who are mentally ill. Her son passed away and the police only spent an hour looking for him when they knew he was on foot and short of breath. She doesn't understand why an hour was all that put towards the effort to find someone that was mentally ill and was a harm to themselves. She wants to see something put in place to help mentally ill people like they have with the Amber Alert for Children and the Silver Alert for Seniors. She doesn't want any other family to have to go through what her family has been through.

11. ADJOURNMENT

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A motion was made by Councilman Mitch Johnson, seconded by Councilman Charles Coleman, that this meeting be Adjourned . The motion PASSED with the following vote.

Aye: 12 - Darrel Dover;Ann Williams;Charles Frierson;Chris Moore;John Street;Mitch Johnson;Gene Vance;Chris Gibson;Rennell Woods;Charles Coleman;Todd Burton and Robert Long

_____ **Date:** _____

Harold Perrin, Mayor

Attest:

_____ **Date:** _____

Donna Jackson, City Clerk