



City of Jonesboro

900 West Monroe
Jonesboro, AR 72401

Meeting Minutes City Council

Tuesday, February 3, 2009

6:30 PM

Council Chambers

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

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

2. Pledge of Allegiance and Invocation

3. Roll Call by the City Clerk

Present 11 - Darrel Dover; Ann Williams; Jim Hargis; Chris Moore; John Street; Mitch Johnson; Tim McCall; Gene Vance; Chris Gibson; Rennell Woods and Mikel Fears

Absent 1 - Charles Frierson

4. Special Presentations

COM-09:011

Fire Chief Leonard Jadrich to discuss the recent ISO report

Attachments: [ISO Information](#)

Fire Chief Jadrich stated the ISO survey was done in July, 2008, and they received the report last week. He stated the City has a Class 3 rating. He then discussed ISO and how they do their evaluations. He noted the water supply is one of the factors ISO looks at and City Water & Light continues to do a fantastic job for the City. He explained the rating systems ranges from 1 to 10, with 1 being the highest and 10 being the lowest. He reiterated the City is at a Class 3 rating. He then discussed the City's past ISO ratings and what has changed. He noted for the 911 system the City received a 7.01 out of 10, which was down from the 2006 rating due to the increase in call volume. He then stated the Fire Department received a 35.01 out of 50, which was an increase from 2006. He added the water supply received a 36.71 out of 40. Chief Jadrich noted CWL can support a Class 1 city. He discussed areas of improvement and stated if the City proceeds with a Phase 3 of improvement, then Jonesboro could become a Class 2.

Councilman Hargis questioned whether some of the cities that Chief Jadrich listed as being Class 2 or 3, if they have the same density as the City of Jonesboro. Chief Jadrich listed the populations for Class 2 and 3 cities. He stated North Little Rock is probably the closest in terms of size to Jonesboro and it is a Class 2.

Councilman Moore asked what the financial savings would be for the City to become a Class 2. Chief Jadrich explained if they proceeded with Phase 3 today, then the City would become a Class 2. He added if the City waits seven years to proceed with Phase 3, then he can't guarantee a Class 2 because Jonesboro is growing and it's possible the City would need more than a Phase 3. He explained there will be a savings in commercial, but he's unsure of the effect on residential due to the

competitiveness of the insurance companies. Councilman Moore stated they need to determine whether the City should proceed with a Phase 3. He added under no circumstances should the City go backwards. He explained the City should budget at least enough to maintain the current Class rating.

This item was Read.

Michael Hewitt, Alexander Thompson Arnold

Councilman Dover motioned, seconded by Councilman Moore, to add Mr. Hewitt to the agenda. All voted aye.

Mr. Michael Hewitt, with Alexander Thompson Arnold accounting firm out of Jackson, Tennessee, discussed their firm and noted they specialize in governmental accounting. He explained they reviewed documents from the Finance Department, as well as the last two years of audits from Legislative Audit. He stated there are deficiencies that need to be addressed. He noted as an example the last Legislative Audit included adjustments to the General Fund expenditures totaling 8% of the budget, which is a lot. He added they encouraged the City to get to a higher level of financial reporting. He explained they submitted a proposal detailing what could be done to help the City, starting with solving the most urgent problems down to helping the City get better internal controls. Mr. Hewitt stated the fee for all of the proposed services would range from \$60,000 to \$120,000. He explained due to the cost range they narrowed the project down to an intense review of the chart of accounts at a fee not to exceed \$14,000. Mayor Perrin then discussed their meetings with Mr. Hewitt and stated the starting point is the chart of accounts. He also noted Mr. Jack Turner will be leaving Monday for Springbrook training. He stated they will discuss further phases with the Finance Committee after the chart of accounts is fixed. Further discussion was held concerning the problems with the chart of accounts and the Council receiving monthly reports.

Councilman Dover motioned, seconded by Councilman Street, to add a resolution to the agenda. All voted aye.

RES-09:024

RESOLUTION APPROVING A CONTRACT WITH ATA (ALEXANDER THOMPSON ARNOLD, PLLC) AND THE CITY OF JONESBORO, ARKANSAS FOR PROFESSIONAL SERVICES

Attachments: [ATA Proposal](#)

Councilman Hargis questioned what the time frame would be for finishing the project. Mr. Hewitt stated they could have a report back in no more than six weeks. He added a goal for the City would be to provide gap financial statements before the end of the year, but the City is a long way from being able to provide that at this time. Mayor Perrin added they will make a presentation to the Council after the report is finished.

A motion was made by Councilman Darrel Dover, seconded by Councilman John Street, that this Resolution be Passed. The motion CARRIED by a Voice Vote.

Aye: 11 - Darrel Dover; Ann Williams; Jim Hargis; Chris Moore; John Street; Mitch Johnson; Tim McCall; Gene Vance; Chris Gibson; Rennell Woods and Mikel Fears

Absent: 1 - Charles Frierson

Enactment No: R-EN-007-2009

5. Consent Agenda

Approval of the Consent Agenda

A motion was made by Councilman Tim McCall, seconded by Councilman John Street, to Approve the Consent Agenda. A motion was made that these files be approved by consent voice vote

Aye: 11 - Darrel Dover; Ann Williams; Jim Hargis; Chris Moore; John Street; Mitch Johnson; Tim McCall; Gene Vance; Chris Gibson; Rennell Woods and Mikel Fears

Absent: 1 - Charles Frierson

MIN-09:006

Minutes for the City Council meeting on January 20, 2009.

Attachments: [Minutes](#)

This item was PASSED on the consent agenda.

RES-09:005

A RESOLUTION TO ENTER INTO CONTRACT WITH HARRY HARDWICK FOR ACQUISITION OF PROPERTY RIGHTS AND RIGHT OF WAYS FOR STREET IMPROVEMENTS AND CONSTRUCTION

Sponsors: Engineering

Attachments: [harry 2](#)

This item was PASSED on the consent agenda.

Enactment No: R-EN-008-2009

RES-09:015

RESOLUTION TO PLACE TRAFFIC FOUR-WAY SIGNS IN PATRICK AND BELT STREETS IN THE CITY OF JONESBORO

Sponsors: Police Department

This item was PASSED on the consent agenda.

Enactment No: R-EN-009-2009

RES-09:017

A RESOLUTION TO AMEND THE EMPLOYEE HANDBOOK FOR PUBLIC SAFETY OFFICERS FOR THE CITY OF JONESBORO TO INCLUDE CHANGES ON THE AMOUNT OF COMPENSATORY TIME ACCUMULATION ALLOWED

Sponsors: Public Safety Council Committee

Attachments: [Exhibit A Compensatory \(Comp\) Time](#)

This item was PASSED on the consent agenda.

Enactment No: R-EN-010-2009

6. New Business*Ordinances on First Reading***ORD-09:002**

AN ORDINANCE TO LEVY A FINE TO HELP DEFRAY THE EXPENSE OF

INCARCERATING PRISONERS IN THE CRAIGHEAD COUNTY DETENTION CENTER

Sponsors: Police Department

Attachments: [Opinion No 2003-264](#)
[Opinion No 2003-264 - PDF](#)

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

Police Chief Michael Yates explained it's getting more expensive to incarcerate people and they're staying longer to serve out their time. He further explained if they continue the jail fees could get as high as \$1.8 million by the end of the year. He stated an Attorney General opinion stated the City could levy the \$5 fine to help with the jail fee cost. He noted he doesn't think it will add up to a lot of money, but it could come to \$75,000 to \$100,000 a year, which is almost one month's jail bill. Councilman Dover questioned whether the fee will apply only if they pay the fine as opposed to serving the time. Chief Yates answered yes. Councilman Hargis clarified that the fee is being collected by the county, but the City hasn't collected any fees yet. Chief Yates agreed, stating the City has not collected fees for that particular purpose. Discussion was held concerning the county raising jail fees.

Councilman Dover motioned, seconded by Councilman McCall, to suspend the rules and waive the second and third reading. All voted aye.

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

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

Aye: 11 - Darrel Dover; Ann Williams; Jim Hargis; Chris Moore; John Street; Mitch Johnson; Tim McCall; Gene Vance; Chris Gibson; Rennell Woods and Mikel Fears

Absent: 1 - Charles Frierson

Enactment No: O-EN-007-2009

City Council Committee members for 2009

Councilman Gibson presented the Council with recommended membership for the 2009 Council Committees.

Finance - Ann Williams, Jim Hargis, John Street, Darrel Dover and Mikel Fears
Public Safety - Gene Vance, Chris Gibson, Chris Moore, Mitch Johnson and Mikel Fears

Public Works - Gene Vance, Jim Hargis, Chris Moore, John Street, Mitch Johnson and Darrel Dover

Public Services - Charles Frierson, Ann Williams, Chris Gibson, Rennell Woods and Tim McCall

Councilman McCall motioned, seconded by Councilman Fears, to approve the membership of the committees. All voted aye.

7. Unfinished Business

Ordinances on Third Reading

ORD-08:072

AN ORDINANCE TO AMEND AND ADD TO THE JONESBORO MUNICIPAL CODE OF ORDINANCES, TITLE 6 ANIMALS AND FOWL, CHAPTER 6.08 DOGS, SUB SECTION 6.08.05 DOGS TO BE CONFINED FOR THE PROHIBITION OF IMPROPER CONFINEMENT OF DOGS IN THE CITY OF JONESBORO

Sponsors: Mayor's Office and Animal Control

Mr. Darren May discussed the ordinance. He stated he agrees dogs should not be chained, but he questioned the exemption for dogs under 20 pounds. He also expressed concern over fences having to be 50 feet from another dwelling. He noted there are plenty of residences in Jonesboro that have another dwelling within 50 feet of a fence in their backyard. He also stated there are some parts of the ordinance that are unclear, such as stating dog shelters should be small enough to retain body heat but large enough to fit the animal comfortably, yet it does not specify exactly how big the shelter has to be. Mr. May added the current ordinances are out of date and need to be updated. He stated he would be happy to help with updating the ordinances, but the proposed ordinance has more to it than just chaining dogs.

Councilman Moore moved for adoption. The motion failed for a lack of a second.

Councilman Street stated he had a problem with the part of the ordinance that stated the director of Animal Control could authorize the issuance of permits at the cost of \$450 a year to allow trolleying of an animal in an area that would otherwise be prohibited. He expressed concern over allowing people to buy their way out of an ordinance when the ordinance is supposed to benefit the well-being of the animal. He also questioned why an animal has to be spayed or neutered if it's going to be on a trolley for a limited amount of time. City Attorney Phillip Crego stated there are criteria to be met when being issued a permit. He explained they were trying to accommodate situations where the stipulations cannot be met. Animal Control Supervisor Sgt. Larry Rogers stated the \$450 fee was determined because that is the cost of a third offense fee. Councilman Street questioned whether the fee is too high. Sgt. Rogers explained it was designed to be high to discourage people from purchasing the permit.

Councilman Gibson questioned how strict the City is going to be on compliance of the ordinance because there are some citizens who cannot be home every ten hours like the ordinance requires. Councilman Johnson stated everyone who is a responsible dog owner is going to suffer the price along with those who don't care as much about their animals. He added he thinks there needs to be further work done on the ordinance. Councilman Moore stated there will be no ordinance that makes every dog owner in the City happy.

Chief Yates stated there are parts of the ordinance he doesn't like; however, they looked at the ordinance from the perspective of being able to enforce it. He requested it be sent back to Public Safety to take care of the issues before bringing it back to Council. He noted it will be hard to get it to a point where it's workable and able to be passed by the Council. Mayor Perrin agreed.

A motion was made by Councilman Mitch Johnson, seconded by Councilman Chris Moore, that this matter be Postponed Temporarily. The motion PASSED by an unanimous vote

Aye: 11 - Darrel Dover; Ann Williams; Jim Hargis; Chris Moore; John Street; Mitch Johnson; Tim McCall; Gene Vance; Chris Gibson; Rennell Woods and Mikel Fears

Absent: 1 - Charles Frierson

*Ordinances on Second Reading***ORD-09:006**

AN ORDINANCE TO AMEND TITLE 14, KNOWN AS THE ZONING BOUNDARIES PROVIDING FOR CHANGES IN ZONING BOUNDARIES FROM R-1 SINGLE FAMILY MEDIUM DENSITY DISTRICT TO C-4 LUO NEIGHBORHOOD COMMERCIAL DISTRICT WITH LIMITED USE OVERLAY LOCATED NORTH OF U.S. HIGHWAY 49, WEST OF ADAM DRIVE AS REQUESTED BY THREE SISTERS, LLC

Attachments: [Plat](#)
[Application for a Zoning Map Amendment](#)
[MAPC Report](#)

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

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

Aye: 11 - Darrel Dover; Ann Williams; Jim Hargis; Chris Moore; John Street; Mitch Johnson; Tim McCall; Gene Vance; Chris Gibson; Rennell Woods and Mikel Fears

Absent: 1 - Charles Frierson

Enactment No: O-EN-008-2009

8. Mayor's Reports

Mayor Perrin discussed the three internal committees that will be meeting. He stated the committees will be making their mission statements. He added the Building and Facilities Committee will be meeting tomorrow at 10:30 a.m. He explained the committee will be meeting monthly or bi-monthly as needed and they will let the Council know what was discussed during the meetings.

Mayor Perrin commended the Police, Fire, Street, 911 and JETS Departments for their work during the ice storm.

Mayor Perrin stated department heads will be giving presentations at the Council meetings in order to inform the Council what it going on in their departments. He noted Mr. Tony Thomas will be giving a presentation at the next meeting.

Mayor Perrin explained he is still waiting on reports from departments in order to give the State of the City address.

Mayor Perrin stated on February 19th the City of Jonesboro will turn 150 years old, along with Craighead County. He explained he will be forming a committee, with Councilman McCall chairing the committee.

COM-09:012

Pre-closing budget summary by department for the year ended December 21, 2008.

Attachments: [Summary](#)

Mayor Perrin stated all departments were under budget, with the exception of the Mayor's Office.

This item was Read.

9. City Council Reports

Councilman Street commended the Mayor and the City departments for their work during the ice storm. He also commended City Water and Light for their work to restore electricity to the citizens. The other Council members also expressed their thanks to everyone for helping the citizens during the ice storm.

Councilman Moore stated by the next Council meeting there should be a report concerning renaming a street to Martin Luther King Drive. He also added if there are any changes to how jail bills are handled the Council will be informed.

Councilman Moore reiterated the Council's need to abide by their rules and procedures. He noted during this meeting a resolution was walked on that had not been approved by a Council Committee, which is a direct violation of Council Rules and Procedures. He stated in the future ordinances and resolutions need to be taken to a committee before being presented to Council.

10. Public Comment

Ms. Debbie Hazlewood questioned the burning of the storm debris, where the items can be taken and if the City had applied for permits to burn the debris. Mayor Perrin explained Legacy Landfill as well as the City's landfill have applied for burning permits from ADEQ. Public Works Director Erick Woodruff noted the City applied for a permit to burn on the 80 acres separate from the old landfill site. Ms. Hazlewood expressed concern over the people in that area being subject to the burning that will take place in their neighborhood. She questioned whether the City had taken the area residents' health into consideration. She stated they have been fighting issues with the landfill and now they're going to have to deal with this. Mayor Perrin thanked Ms. Hazlewood for her comments and stated he would take it into consideration. He noted the permit has been applied for, but it has not been approved.

Ms. Hazlewood then discussed property at 3106 Casey Springs Road the City purchased that has not been kept up since the City purchased it last year. Mr. Woodruff explained the property is scheduled for demolition in two weeks. He noted the purchase for the property wasn't brought before Council until about two months ago. Ms. Hazlewood explained Rick and Dianne Tribble at 3120 Casey Springs Road are still having problems with runoff getting on to their property. She asked the Council to look at the health issues of the Tribbles' as well as everyone else in the area.

Ms. Wanda Turner stated she was disheartened by the Council temporarily postponing the dog ordinance, but requested the Council not be postponed for months. She noted the ordinance was presented to the Public Safety Committee the first time in August, 2006, and was proposed again in August, 2008. She explained everyone on the Council got a detailed explanation of the ordinance and noted it was patterned after other dog ordinances in the State of Arkansas. She stated the animals have waited long enough for this ordinance.

Ms. Wynonna Elrod thanked the Council for tabling the dog ordinance. She noted her dog is not aggressive or abused and it is on a trolley line. She discussed her dog and the problems with being able to abide by the ordinance due to her dog's health problems. She added if the ordinance passed she would probably have to give her dog away after having him for eight years.

11. Adjournment.

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

Aye: 11 - Darrel Dover; Ann Williams; Jim Hargis; Chris Moore; John Street; Mitch Johnson; Tim McCall; Gene Vance; Chris Gibson; Rennell Woods and Mikel Fears

Absent: 1 - Charles Frierson

_____ **Date:** _____
Harold Perrin, Mayor

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