



City of Jonesboro

300 S. Church Street
Jonesboro, AR 72401

Meeting Minutes City Council

Tuesday, May 6, 2014

5:30 PM

Municipal Center

NOMINATING & RULES COMMITTEE SPECIAL CALLED MEETING AT 4:50 P.M.

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

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PUBLIC HEARING AT 5:20 P.M.

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Regarding the request by Mr. Elvis Burks to establish a taxicab service

No one spoke in opposition to the taxi service.

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

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2. PLEDGE OF ALLEGIANCE AND INVOCATION

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3. ROLL CALL BY CITY CLERK DONNA JACKSON

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Present 11 - Darrel Dover; Ann Williams; Charles Frierson; Chris Moore; John Street; Mitch Johnson; Tim McCall; Gene Vance; Chris Gibson; Rennell Woods and Charles Coleman

4. SPECIAL PRESENTATIONS

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COM-14:041 Motorcycle Awareness Month proclamation by Mayor Perrin

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Sponsors: Mayor's Office

Mayor Perrin presented the proclamation to Mr. Eric Turman. He proclaimed May,

2014, as Motorcycle Awareness Month.

This item was read.

COM-14:045

Proclamation by Mayor Perrin to the Nettleton High School Thespian Troupe 6377

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Sponsors: Mayor's Office

Mayor Perrin presented the award to Ms. Rita Johnson.

This item was read.

5. CONSENT AGENDA

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Approval of the Consent Agenda

A motion was made by Councilman Chris Gibson, seconded by Councilman John Street, to Approve the Consent Agenda. The motioned PASSED

Aye: 11 - Darrel Dover; Ann Williams; Charles Frierson; Chris Moore; John Street; Mitch Johnson; Tim McCall; Gene Vance; Chris Gibson; Rennell Woods and Charles Coleman

MIN-14:039

Minutes for the City Council meeting on April 15, 2014

[play video](#)

Attachments: [Minutes](#)

A motion was made that this Minutes be Passed . The motion PASSED BY VOICE VOTE

RES-14:036

A RESOLUTION TO AMEND THE RULES OF ORDER AND PROCEDURE FOR THE MAYOR/CITY COUNCIL ESTABLISHING A PROCEDURE FOR FILLING A VACANCY IN AN ALDERMAN POSITION

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A motion was made that this Resolution be Passed . The motion PASSED BY VOICE VOTE

Enactment No: R-EN-039-2014

RES-14:037

A RESOLUTION GRANTING AN EASEMENT TO CITY WATER & LIGHT

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Sponsors: Mayor's Office

Attachments: [Exhibit A](#)
 [Exhibit B](#)
 [Property Damage - Easement Agreement](#)

A motion was made that this Resolution be Passed . The motion PASSED BY VOICE VOTE

Enactment No: R-EN-040-2014

RES-14:039

RESOLUTION AUTHORIZING THE CITY OF JONESBORO TO ENTER INTO AGREEMENT WITH HANDS ON NETWORK FOR THE FY 2014 ALTRIA "DAY OF SHARING" GRANT PROGRAM

[play video](#)

Sponsors: Grants

Attachments: [Agreement Completed 2014 Altria NGO Agreement \(Part 1 of 3\)- City of Jonesboro.doc](#)

A motion was made that this Resolution be Passed . The motion PASSED BY VOICE VOTE

Enactment No: R-EN-041-2014

RES-14:046

RESOLUTION FOR CITY OF JONESBORO TO ENTER INTO AGREEMENT WITH THE ARKANSAS HIGHWAY AND TRANSPORTATION DEPARTMENT (AHTD) FOR PURPOSES OF A NATIONAL SCENIC BYWAYS GRANT PROJECT AT CRAIGHEAD FOREST PARK

[play video](#)

Sponsors: Grants

Attachments: [Agreement.pdf](#)

A motion was made that this Resolution be Passed . The motion PASSED BY VOICE VOTE

Enactment No: R-EN-042-2014

RES-14:048

RESOLUTION AUTHORIZING THE CITY OF JONESBORO TO ENTER INTO AGREEMENT WITH THE HISPANIC COMMUNITY SERVICES, INC FOR THE PURPOSES OF EXPENDING APPROVED CDBG FUNDS

[play video](#)

Sponsors: Grants

Attachments: [Hispanic Service Center Agreement Revised 4 18 2014.pdf](#)

A motion was made that this Resolution be Passed . The motion PASSED BY VOICE VOTE

Enactment No: R-EN-043-2014

6. NEW BUSINESS

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COM-14:042

Decision by the City Council regarding the request by Mr. Elvis Burks to establish a taxicab service

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Attachments: [Request letter](#)
 [Business License Application](#)

Mayor Perrin stated it is his understanding Mr. Burks has fulfilled all of the requirements to establish the service.

Councilman Moore motioned, seconded by Councilman Coleman, to approve the service. All voted aye.

RES-14:049

RESOLUTION TO SET A PUBLIC HEARING REGARDING THE ABANDONMENT OF A 10' UTILITY EASEMENT LOCATED EAST OF COMMERCE DRIVE AS REQUESTED BY STEPHEN SOUTHARD

[play video](#)

Attachments: [Engineering & Planning Dept Letter](#)
 [Petition](#)
 [Plat](#)
 [Utility Letters](#)

A motion was made by Councilman Chris Gibson, seconded by Councilman John Street, 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;Tim McCall;Gene Vance;Chris Gibson;Rennell Woods and Charles Coleman

Enactment No: R-EN-044-2014

ORDINANCES ON FIRST READING

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ORD-14:022

AN ORDINANCE AMENDING ORDINANCE 3221 AND CALLING A SPECIAL ELECTION IN THE CITY OF JONESBORO, ARKANSAS, ON THE QUESTION OF REMOVING THE RESTRICTION ON SPENDING ONE HALF (1/2) OF THE CURRENT SALES AND USE TAX, FROM CAPITAL IMPROVEMENT OF A PUBLIC NATURE AND DIRECTING IT FOR GENERAL OPERATING PURPOSES, PRESCRIBING OTHER MATTERS PERTAINING THERETO; AND DECLARING AN EMERGENCY

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Sponsors: Mayor's Office

Attachments: [Presentation](#)

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

Mayor Perrin asked the Council to hold this ordinance at one reading and to have all

three readings at different times.

Chief Financial Officer Ben Barylske gave a presentation to the Council concerning the tax. Councilman Dover noted that if a big project needed to be financed the city could ask for a temporary tax to fund that particular project for a specific amount of time. Mr. Barylske agreed, adding that's the philosophy they are wanting to take in the future. Councilman Street emphasized that the loan the city took out in order to finish capital improvement projects is going to be paid off in 2016. Mr. Barylske stated the loan will be paid off April 4, 2016. He explained Jonesboro is in good shape with minimal debt compared to other cities the same size. He added the next two years will be a challenge in terms of funding projects.

Councilman Woods asked if a focus group was conducted to determine whether or not the city should continue with the public safety tax. He explained citizens have expressed concern to him about changing the tax. He then recommended coming up with a plan as to how to get the citizens involved to help steer the tax money so the citizens will be better served in the next several year. He encouraged the Mayor to look at the half-cent sales tax in order to use the money in ways the citizens would like to see to better the community and the children. Mr. Barylske stated the consensus is that the voters would not extend the length of the public safety tax. Councilman Moore questioned what the risk is of letting the voters decide on the public safety tax in addition to this proposal. Councilman Vance stated if that were to happen it would be best to ask the two questions at two different times in order to not cause the city any problems. He recommended moving forward with this special election and possibly putting the other question on the November ballot. Mr. Barylske explained if they waited until the November ballot to decide on this issue, then that would only leave the city less than two months to complete the 2015 budget and approve it. He added that may force cuts if the tax didn't get passed. Councilman Moore suggested proceeding with this special election and then after that let the voters decide on the public safety tax.

Mayor Perrin referred to Councilman Woods' remarks and noted the city cannot build some projects, such as an aquatics park, with current taxes. He stated in those instances the voters will have to decide whether or not they want to fund those projects with a special tax. He stressed the city cannot run on sales tax alone, which is why they have been taking advantage of grants as much as they have recently. He explained they are currently looking at six projects to improve the infrastructure of the city, while they quality of life of the citizens also needs to be on the forefront. Mayor Perrin further explained the budgets will be tight for the next few years, but if the voters choose not to do this then they will have to make adjustments.

Further discussion was held concerning the proposed special election.

Phillip Cook, 5216 Richardson Drive, explained the proposal bothers him because the city will have full control of the money. He stated Sanitation, Police and Fire Departments are the most important in the city. He noted raises are given, but not to those departments. He asked the Council to consider where the money is going to be spent and if it's not going to be spent in ways to benefit the safety of the citizens, then they are falling short. He further explained Jonesboro is the second largest city in the state with regards to land mass, yet southeast Jonesboro no longer has a fire station in the area. Mayor Perrin assured him the city's protection will be taken care of. The city has a five-year plan they are following for the Fire Department and they follow the ISO standards and ratings. Every year the city adopts a budget that will be detailed on the city's website so the citizens know where the money is being spent.

Councilman Dover asked that the administration start looking at whether or not it's an

option to keep the public safety tax and how it would be used. Mayor Perrin stated the focus groups that were held indicated the citizens would not support extending the public safety tax. Councilman Woods asked for Councilman Dover, as well as the Grants Administrator, Parks Director and Quality of Life, to form a committee to come up with a plan regarding the needs of the city and how to pay for it.

This item was Held at one reading.

ORD-14:023

AN ORDINANCE TO AMEND THE 2014 BUDGET FOR THE CITY OF JONESBORO TO APPROPRIATE MONEY FOR THE POLICE DEPARTMENT BUDGET

[play video](#)

Sponsors: Finance

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

Mayor Perrin explained there are some employees of the Police Department that are retiring and that needs be funded in their budget.

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

A motion was made by Councilman Darrel Dover, seconded by Councilman John Street, 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;Tim McCall;Gene Vance;Chris Gibson;Rennell Woods and Charles Coleman

Enactment No: O-EN-023-2014

ORD-14:024

AN ORDINANCE TO AMEND THE 2014 BUDGET FOR THE CITY OF JONESBORO TO APPROPRIATE MONEY FOR THE ENGINEERING DEPARTMENT'S BUDGET

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Sponsors: Finance

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

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

A motion was made by Councilman Mitch Johnson, seconded by Councilman Chris Moore, 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;Tim McCall;Gene Vance;Chris Gibson;Rennell Woods and Charles Coleman

Enactment No: O-EN-024-2014

7. UNFINISHED BUSINESS

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ORDINANCES ON THIRD READING

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ORD-14:021

AN ORDINANCE TO AMEND CHAPTER 117, KNOWN AS THE ZONING ORDINANCE PROVIDING FOR CHANGES IN ZONING BOUNDARIES FROM AG-1 TO C-3 LU FOR PROPERTY LOCATED AT 2005 & 2009 MARGO LANE AND 2008 & 2010 COMMERCE DRIVE AS REQUESTED BY KENNETH BURK/JEFFERY JOHNSON/RICKIE SUMMERS/LORRIE BEASON

[play video](#)

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

Councilman Frierson noted that the MAPC report showed the there wasn't adequate right-of-way for current provisions, yet there are no requirements in the ordinance. City Planner Otis Spriggs explained the MAPC looked at Margo Lane right-of-way. There are some city streets with minimum widths of 50 feet in some instances. In this area, the right-of-way was insufficient. He further explained the MAPC has the authority to waive the requirements if there is no high demand to widen the road, which is the situation here.

A motion was made by Councilman Chris Moore, seconded by Councilman John Street, 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;Tim McCall;Gene Vance;Chris Gibson;Rennell Woods and Charles Coleman

Enactment No: O-EN-025-2014

8. MAYOR'S REPORTS

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Mayor Perrin reported on the following items:

They received a letter last week from the Corps of Engineers. The city was able to get additional funding for the planning grant.

They filed for a Tiger Grant for the overpass project at Highland and Highway 18. That will be for a planning grant in the amount of \$1.5 million. The grant is highly competitive, but this grant was recommended to them.

The MPO held their Policy Committee meeting recently. They sent a document detailing the two year plan to the Highway Department.

At the next Highway Commission meeting, they will have a minute order presented to get \$351,000 to have a gated railroad crossing at Henson Road.

The project completion date for the police station is June 6th. They hope to be up and running between July 15th and August 1st.

Scenic Hills Association held a clean up recently. Over 9.93 tons of trash was taken to the landfill.

Mayor Perrin was invited to join the Local Leaders Council through the Transportation of America. His first meeting will be June 16th.

The Moratorium Committee recommendations are still being looked at. The property maintenance code is almost ready to be presented to the Public Works Committee. Mr. Spriggs is looking at ordinances to present and Mr. Barylske is looking at impact fees. He will give them a report at the next meeting.

Closing for the Wolverine property has been set for May 12, but he will be meeting with City Attorney Phillip Crego in the morning to make sure everything is ready. The environmental assessment will be done before closing. The city will be receiving all of the properties Wolverine owns in the area, including the property near Bay.

9. CITY COUNCIL REPORTS

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Councilman Street motioned, seconded by Councilman Dover, to suspend the rules and place ORD-14:025, RES-14:040 and RES-14:050 on the agenda. All voted aye.

ORD-14:025

AN ORDINANCE TO AMEND CHAPTER 117, ZONING, OF THE CODE OF ORDINANCES OF THE CITY OF JONESBORO, ARKANSAS, BY CLARIFYING SECTION 117-258, (c) 2, TO REGULATE THE USE AND INSTALLATION OF MOBILE VENDING UNITS, AND TO DECLARE AN EMERGENCY IN ORDER TO COMPLY WITH STATE HEALTH DEPARTMENT STANDARDS.

Sponsors: Planning

Attachments: [MEMO MobileVending_TextAmendmentCover_Council](#)
[Arkansas Department of Health Letter](#)

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

Councilman Street explained the ordinance will require skirting around the tires of mobile units as required by the Health Department.

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

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

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

Enactment No: O-EN-026-2014

RES-14:040

A RESOLUTION TO OF THE CITY OF JONESBORO, ARKANSAS TO ACCEPT THE LOW BID AND ENTER INTO A CONTRACT WITH TURMAN CONSTRUCTION, INC. FOR THE 2014 CDBG SEWER - ANGELA LEE DRIVE PROJECT (2014:17)

Sponsors: Engineering and Grants

Attachments: [Specifications 2014 17](#)
 [Bid Tab](#)

A motion was made by Councilman Chris Gibson, seconded by Councilman Charles Coleman, 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;Tim McCall;Gene Vance;Chris Gibson;Rennell Woods and Charles Coleman

Enactment No: R-EN-045-2014

RES-14:050

A RESOLUTION TO THE CITY OF JONESBORO, ARKANSAS TO ACCEPT THE LOW BID AND ENTER INTO A CONTRACT WITH LAKESIDE CONTRACTORS, LLC FOR THE RACE STREET DRAINAGE IMPROVEMENTS (2014:19)

Sponsors: Engineering

Attachments: [Specifications 2014 19](#)
 [Bid Tab](#)

A motion was made by Councilman Chris Gibson, seconded by Councilman Charles Coleman, 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;Tim McCall;Gene Vance;Chris Gibson;Rennell Woods and Charles Coleman

Enactment No: R-EN-046-2014

Councilman Woods announced a change in the date for the Youth Summit and City Hall. It will now be held on May 15th. He encouraged all of the Council members to attend.

Councilwoman Williams announced AHTD will hold a series of meetings on May 8th at City Hall. The meetings will obtain input regarding bicycle and pedestrian needs in the city. She encouraged everyone to attend.

Councilman Moore referred to comments Councilman Woods made during the invocation and stated the recent Supreme Court 5-4 ruling allowing prayer during public meetings. He stated that was a big ruling and he looked forward to Councilman Woods leading the prayers at the meetings.

Councilman Coleman thanked the Mayor for attending the community garden opening last weekend.

10. PUBLIC COMMENTS

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Phillip Cook who spoke earlier in the meeting regarding ORD-14:022 asked about the Council elections. He asked what happens if the term is less than two years and if that person will be able to run for re-election. Mayor Perrin explained the Council adopted a policy stating if the term is two years or more than an election will be held.

If it's less than two years, the Nominating & Rules Committee will advertise for the open position and hold interviews with Council approving who will hold the position. They can run for re-election. City Attorney Crego agreed, noting that for municipal positions the alderman can run for re-election after being appointed or winning in a special election.

11. ADJOURNMENT

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

Aye: 11 - Darrel Dover;Ann Williams;Charles Frierson;Chris Moore;John Street;Mitch Johnson;Tim McCall;Gene Vance;Chris Gibson;Rennell Woods and Charles Coleman

_____ **Date:** _____

Harold Perrin, Mayor

Attest:

_____ **Date:** _____

Donna Jackson, City Clerk