



City of Jonesboro

900 West Monroe
Jonesboro, AR 72401

Meeting Minutes City Council

Tuesday, June 19, 2007

6:30 PM

Council Chambers

PUBLIC SAFETY MEETING - 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 12 - Judy Furr; Darrel Dover; Faye McCall; Ann Williams; Charles Frierson; Cecil Province; Jim Hargis; Chris Moore; Harold Perrin; John Street; Mitch Johnson and Tim McCall

4. Special Presentations

5. Consent Agenda

Approval of the Consent Agenda

A motion was made by Councilperson Harold Perrin, seconded by Councilperson Chris Moore, to Approve the Consent Agenda. The motion carried by the following vote

Aye: 12 - Judy Furr; Darrel Dover; Faye McCall; Ann Williams; Charles Frierson; Cecil Province; Jim Hargis; Chris Moore; Harold Perrin; John Street; Mitch Johnson and Tim McCall

MIN-07:079

Minutes for the City Council meeting on June 5, 2007.

Attachments: [Minutes](#)

This matter was Passed by a voice vote.

RES-07:155

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JONESBORO, ARKANSAS AUTHORIZING THE MAYOR AND CITY CLERK TO PURCHASE PROPERTY LOCATED AT 1708 TALL BIRCH, JONESBORO, ARKANSAS FOR THE PURPOSE OF ESTABLISHING A GAS EXTRACTION

Sponsors: Mayor's Office and Public Works

Attachments: [1708 Tall Birch \(COMPLETE\)](#)
[1708 Tall Birch](#)

This matter was Passed by a voice vote.

Enactment No: R-EN-031-2007

RES-07:159 A RESOLUTION REQUESTING FREE UTILITIES AT THE LEASED OFFICES OF THE JONESBORO ECONOMICAL TRANSPORTATION SYSTEM, A DEPARTMENT OF THE CITY OF JONESBORO

Sponsors: JETS

This matter was Passed by voice vote.

Enactment No: R-EN-032-2007

RES-07:162 A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE AN AGREEMENT TO TERMINATE THE LEASE OF CITY PROPERTY, ACCEPT THE IMPROVEMENTS, AND ACCEPT DONATED PROPERTY LOCATED AT 1620 STRAWFLOOR DRIVE

Sponsors: Mayor's Office and Public Works

Attachments: [explanation email from Andy Adams](#)
[Deed of Gift](#)
[Termination of Lease](#)

This matter was Passed by a voice vote.

Enactment No: R-EN-033-2007

RES-07:167 A RESOLUTION EXPRESSING THE WILLINGNESS OF THE CITY OF JONESBORO, CRAIGHEAD COUNTY TO UTILIZE FEDERAL-AID MONIES FOR THE FOLLOWING CITY PROJECT:
Installation of Traffic Signal
Highway 141@Parker Road/US 63 Frontage Road

Sponsors: Mayor's Office and Public Works

This matter was Passed by a voice vote.

Enactment No: R-EN-034-2007

RES-07:181 RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JONESBORO, ARKANSAS AUTHORIZING THE MAYOR AND CITY CLERK TO PURCHASE PROPERTY LOCATED AT 803 OWENS, JONESBORO, ARKANSAS FOR THE PURPOSE OF ESTABLISHING A DETENTION POND.

Sponsors: Mayor's Office and Public Works

Attachments: [803 Owens \(complete\)](#)
[803 Owens \(revised\)](#)

This matter was Passed by a voice vote.

Enactment No: R-EN-035-2007

RES-07:187 A RESOLUTION WAIVING COMPETITIVE BIDDING AND AUTHORIZING PURCHASE OF THREE GFI GENFARE SYSTEM UNITS FOR JETS

Sponsors: JETS

Attachments: [Genfare Quote](#)

This matter was Passed by a voice vote.

Enactment No: R-EN-036-2007

RES-07:188

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JONESBORO, ARKANSAS AUTHORIZING THE MAYOR AND CITY CLERK TO PURCHASE PROPERTY LOCATED AT 707 OWENS, JONESBORO, ARKANSAS FOR THE PURPOSE OF ESTABLISHING A DETENTION POND.

Sponsors: Mayor's Office and Public Works

Attachments: [707 Owens \(Complete\)](#)
[707 Owens \(revised\)](#)

This matter was Passed by a voice vote.

Enactment No: R-EN-037-2007

RES-07:189

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JONESBORO, ARKANSAS AUTHORIZING THE MAYOR AND CITY CLERK TO PURCHASE PROPERTY LOCATED AT 2309 S. CULBERHOUSE, JONESBORO, ARKANSAS FOR THE PURPOSE OF ESTABLISHING A DETENTION POND.

Sponsors: Mayor's Office and Public Works

Attachments: [2309 S. Culberhouse \(complete\)](#)
[Branham \(original signed O&A\)](#)
[2309 S Culberhouse \(revised\)](#)

This matter was Passed by a voice vote.

Enactment No: R-EN-038-2007

RES-07:190

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JONESBORO, ARKANSAS AUTHORIZING THE MAYOR AND CITY CLERK TO PURCHASE PROPERTY LOCATED AT 903 OWENS AVE., JONESBORO, ARKANSAS FOR THE PURPOSE OF ESTABLISHING A DETENTION POND.

Sponsors: Mayor's Office and Public Works

Attachments: [903 Owens \(complete\)](#)
[903 Owens Ave. \(revised\)](#)

This matter was Passed by a voice vote.

Enactment No: R-EN-039-2007

RES-07:191

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JONESBORO, ARKANSAS AUTHORIZING THE MAYOR AND CITY CLERK TO PURCHASE PROPERTY (PERMANENT EASEMENT) LOCATED AT 905 OWENS AVE., JONESBORO, ARKANSAS FOR THE PURPOSE OF ESTABLISHING A DETENTION POND.

Sponsors: Mayor's Office and Public Works

Attachments: [905 Owens \(complete\)](#)
[905 Owens \(revised\)](#)

This matter was Passed by a voice vote.

Enactment No: R-EN-040-2007

RES-07:192

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JONESBORO, ARKANSAS AUTHORIZING THE MAYOR AND CITY CLERK TO PURCHASE PROPERTY LOCATED AT 2303 S. CULBERHOUSE, JONESBORO, ARKANSAS FOR THE PURPOSE OF ESTABLISHING A DETENTION POND.

Sponsors: Mayor's Office and Public Works

Attachments: [2303 S. Culberhouse \(complete\)](#)
[2303 S. Culberhouse \(revised\)](#)

This matter was Passed by a voice vote.

Enactment No: R-EN-041-2007

RES-07:193

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JONESBORO, ARKANSAS AUTHORIZING THE MAYOR AND CITY CLERK TO PURCHASE PROPERTY (PERMANENT EASEMENT) LOCATED AT 1009 OWENS AVE., JONESBORO, ARKANSAS FOR THE PURPOSE OF ESTABLISHING A DETENTION POND.

Sponsors: Mayor's Office and Public Works

Attachments: [1009 Owens Ave. \(complete\)](#)
[1009 Owens \(revised\)](#)

This matter was Passed by a voice vote.

Enactment No: R-EN-042-2007

RES-07:195

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JONESBORO, ARKANSAS AUTHORIZING THE MAYOR AND CITY CLERK TO PURCHASE PROPERTY LOCATED AT 1312 OAKHURST, JONESBORO, ARKANSAS FOR THE PURPOSE OF ESTABLISHING A DETENTION POND.

Sponsors: Mayor's Office and Public Works

Attachments: [1312 Oakhurst \(complete\)](#)
[1312 Oakhurst \(revised\)](#)

This matter was Passed by a voice vote.

Enactment No: R-EN-043-2007

RES-07:196

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JONESBORO, ARKANSAS AUTHORIZING THE MAYOR AND CITY CLERK TO PURCHASE PROPERTY (EASEMENT) LOCATED AT 907 OWENS AVE., JONESBORO, ARKANSAS FOR THE PURPOSE OF ESTABLISHING A DETENTION POND.

Sponsors: Mayor's Office and Public Works

Attachments: [907 Owens \(complete\)](#)
[907 Owens \(revised\)](#)

This matter was Passed by a voice vote.

Enactment No: R-EN-044-2007

RES-07:197

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JONESBORO, ARKANSAS AUTHORIZING THE MAYOR AND CITY CLERK TO PURCHASE PROPERTY LOCATED AT 611 E. NETTLETON AVE., JONESBORO, ARKANSAS FOR THE PURPOSE OF ESTABLISHING A DETENTION POND.

Sponsors: Mayor's Office and Public Works

Attachments: [611 E. Nettleton \(revised\)](#)
[611 E. Nettleton \(completed\)](#)

Councilman Dover abstained from voting on this matter, due to a conflict of interest being 611 E. Nettleton is his residence.

A motion was made by Councilperson Chris Moore, seconded by Councilperson John Street, that this Resolution be Passed. The motion CARRIED by the following vote:

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

Abstain: 1 - Darrel Dover

Enactment No: R-EN-045-2007

6. New Business

Ordinances on First Reading

ORD-07:81

AN ORDINANCE AMENDING TITLE 14, THE ZONING ORDINANCE OF THE CITY OF JONESBORO, ARKANSAS, ESTABLISHING STANDARDS FOR THE LOCATION, DEVELOPMENT, CONSTRUCTION, AND MAINTENANCE OF ON-PREMISE AND OFF -PREMISE OUTDOOR ADVERTISING SIGNS MODIFYING ORDINANCE 3447 AND SECTION 14.32.11.

Sponsors: Planning and Metropolitan Area Planning Commission

Attachments: [Outdoor Advertising Ordinance](#)

Councilman Street offered the ordinance for first reading.

Otis Spriggs, City Planner reported a moratorium had been issued on signage with an expiration date of July 3, 2007, but stated a clause within this current ordinance speaks to the waiver of the moratorium.

Councilman Street moved, seconded by Councilman Moore to suspend with the second and third readings. The motion carried.

Councilman Street moved, seconded by Councilwoman Williams for the adoption of the emergency clause. A roll call vote was taken resulting in all members voting aye.

A motion was made by Councilperson Chris Moore, seconded by Councilperson Charles Frierson, that this Ordinance be Passed. The motion CARRIED by a Voice Vote.

Enactment No: O-EN-012-2007

ORD-07:83

AN ORDINANCE TO AMEND TITLE 14, OF THE JONESBORO MUNICIPAL CODE KNOWN AS THE ZONING ORDINANCE PROVIDING FOR A CHANGE IN ZONE DISTRICT BOUNDARIES LOCATED AT THE CORNER OF RACE STREET AND BRIAR LANE AS REQUESTED BY SANDA GREEN

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

Councilman Moore offered the ordinance for first reading. No further action was taken.

Held at one reading

ORD-07:84

AN ORDINANCE TO AMEND TITLE 14, KNOWN AS THE ZONING ORDINANCE PROVIDING FOR CHANGES IN ZONING BOUNDARIES LOCATED AT 2800 SOUTH CARAWAY ROAD AS REQUESTED BY FRED DACUS

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

Councilman Moore offered the ordinance for first reading. No further action was taken.

Held at one reading

ORD-07:85

AN ORDINANCE TO AMEND TITLE 14, KNOWN AS THE ZONING ORDINANCE PROVIDING FOR CHANGES IN ZONING BOUNDARIES LOCATED ON THE WEST SIDE OF FAIR PARK BLVD. BETWEEN RACE STREET AND PHILLIPS DRIVE AS REQUESTED BY FRED DACUS

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

Councilman Moore offered the ordinance for first reading. No further action was taken.

Held at one reading

ORD-07:86

AN ORDINANCE TO AMEND TITLE 14, KNOWN AS THE ZONING ORDINANCE PROVIDING FOR CHANGES IN ZONING BOUNDARIES LOCATED AT 3306 SOUTHWEST DRIVE AS REQUESTED BY GARY EZELL

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

Councilman Moore offered the ordinance for first reading. No further action was taken.

Held at one reading

ORD-07:87

AN ORDINANCE TO AMEND TITLE 14, KNOWN AS THE ZONING ORDINANCE PROVIDING FOR CHANGES IN ZONING BOUNDARIES LOCATED AT 3313 AND 3404 SOUTHWEST DRIVE AS REQUESTED BY GARY EZELL

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

Councilman Moore offered the following ordinance for first reading. No further action was taken.

Held at one reading

7. Unfinished Business

Ordinances on Second Reading

ORD-07:73

AN ORDINANCE TO AMEND TITLE 14 OF THE JONESBORO CODE OF

ORDINANCES, KNOWN AS THE ZONING ORDINANCE OF THE CITY OF JONESBORO, ARKANSAS LOCATED ON KATHLEEN STREET BETWEEN MORTON DRIVE AND PACIFIC ROAD AS REQUESTED BY TROY COLEMAN/JAY HARMON

Attachments: [Harmon Plat](#)
[MAPC - Harmon](#)
[MAPCReport](#)
[Opposition Petition](#)

The ordinance was read a second time by title only. Mayor Formon stated he and Councilman Dover had met with those in opposition to the rezoning and were trying to work out a compromise. He offered to facilitate a meeting between Attorney Brent Crews who represents Troy Coleman and Jay Harmon, and the neighbors in opposition.

Waive Second Reading

8. Mayor's Reports

Mayor Formon reported Mr. Steve Kent, Purchasing Agent was back on the job and would be working full time. Mr. Don Ray, Finance Director reported Mr. David Eagle had suffered another stroke on Sunday and was unsure if or when he would return. Mayor Formon stated the sick bank has been used by Mr. Brian Wadley and now Mr. Eagle.

Mayor Formon introduced Ms. Rachel Brewer who will be filling in for Brian Wadley on an interim bases. He stated Ms. Brewer would be taking the place of Aubrey Scott who left for personal family related reasons.

Mayor Formon requested Mr. Eric Woodruff provide a quarterly report by the Baughn Family on the Lawson Road extension. Councilman Perrin stated the director from each department should give the report. Mr. Woodruff responded saying they would receive a monthly report and would provide it to council members.

Councilman Perrin requested a monthly executive summary by each department to be given in the City Council meetings.

Mayor Formon stated he and various staff members had visited with neighbors at Flemon Road regarding a drainage problem. He explained a written and/or oral warning had been issued to the developer of Beaver Creek to get their pond in compliance. Mr. Kelly Panneck provided an explanation of the Beaver Creek detention pond, stating they had issues with the engineer of the job site and had issued a verbal warning. He reported maintenance of the detention pond should be completed tomorrow. Mayor Formon questioned the cleaning of the ditch caused by the debris. Mr. Eric Woodruff explained the Flemon Road Ditch is in Zone 3 and would be cleaned out and mowed by next Thursday.

Councilman Street questioned the status of the major engineering drainage for Flemon Road. Mr. Panneck explained the Flemon Road Project addresses flooding that happened prior to the developments. He stated ETC of Little Rock submitted a design six weeks ago that restructures the entire north side of Flemon Road, however he was not in favor of the plan, explaining there were more viable alternatives to the south side of Flemon Road which they were considering. Councilman Street questioned if there was a time frame for submitting the alternative plan for consideration. Mr. Panneck responded stating he currently he does not have an alternative solution. Councilman Street suggested having ETC revise the plan if needed, however Mr. Panneck stated that was a matter they would handle internally.

Councilman Hargis questioned maintenance work on East Matthews near Neal Drive, stating trees were growing through the rip rap on the side. Councilman Hargis also reported problems with a ditch located on Windover, stating a business had flooded. Mr. Panneck explained while that was a Public Works function, he was not responsible for maintenance of the ditches. Mr. Eric Woodruff, Public Works Director responded saying 1/3 of the street department is currently working on Alberto Culver, but when completed they would be prioritizing the ditch maintenance. Councilman McCall questioned the percentage of workers out on the Alberto Culver project. Mr. Woodruff stated approximately 18 to 20 employees and equipment were being utilized for the project which should be complete within the next 30 days. Councilman Hargis requested a report regarding the work done at Alberto Culver once it is completed.

9. City Council Reports

Councilman Street questioned the status of the Stormwater Management Board. Mr. Woodruff explained the ordinance would be entered into Legistar tomorrow and would go to Nominating and Rules Committee.

Councilman Dover announced the regularly scheduled Finance Committee meeting for Thursday, June 21st at 4:00 p.m. in the City Council Conference Room. He requested council members bring their lap top for the meeting.

Councilman McCall stated he had received calls from individuals wanting to know when they could begin to petition their mortgage company regarding being removed from the floodplain. Mayor Formon responded saying one concern has been a LOMR which was filed, that if letters are sent out now, they would have to reissue more letters once the CTP study is complete because there is a possibility it could wipe out the LOMR. Councilman McCall questioned if there was any correspondence showing individuals have been removed from the floodplain. Mr. Tony Thomas confirmed this saying two weeks ago, each individual home owner that was impacted by the LOMR at Turtle Creek was forwarded a letter by Mr. Bernie Auld that indicated the conditions as they currently are. Councilman McCall expressed concern for citizens not being taken out of the floodplain in a timely manner and having to pay unnecessary flood insurance. Mr. Bernie Auld responded saying they had received the approval letter from FEMA on Turtle Creek which is to become effective around June 25th. He further stated the letters informed individuals outside the current flood insurance map, that because of updated topography they may actually go in to the flood plain. Councilman McCall again questioned if people have been notified that they can begin to petition their mortgage company regarding being removed from the floodplain. Mr. Auld responded saying not that he is aware of, and it would be up to the City to determine how they wanted to handle the notification process. Mayor Formon stated it was his understanding that Mr. Auld's letter was notifying citizens that they had been removed from the floodplain. Again Mayor Formon stated the CTP Project which is the City's project will be completed in thirty days and then notification would be provided. Mr. Auld suggested the notification could be done in a public forum rather than written notification, because it is up to the mortgage companies to make this determination. Councilman McCall stated the City of Jonesboro owes it to the citizens of Jonesboro to let them know when they have been removed from the floodplain, and not wait three months, letting them pay higher insurance rates. Mayor Formon stated the CTP project nor the LOMR has been approved yet. Mr. Tony Thomas stated the CTP project has not been approved, but the LOMR as submitted by Mr. Auld has been approved, but is undergoing a 30 day public comment period. Mr. Thomas explained this was one piece of the puzzle, and the second part would come from Carter Burgess, after the CTP project is complete. He stated they were anticipating having those maps from that process in 30 days.

Councilman McCall requested the City Council be provided a communication report letting them know the status of these projects.

Councilman Perrin stated he had received a list of proposed STOP lights from Mr. Woodruff, one of which they would have to wait on. Councilman Perrin also stated he would be calling a 911 meeting in July once he receives information back from Police Chief Yates.

Councilwoman Williams questioned the status of the widening of Patrick Street. Mr. Panneck stated they have had discussions with several surveyors about the widening of Patrick and the widening of Race Street. He further stated they have selected two surveyors for the two projects and would be discussed at the next Public Works committee meeting.

Councilwoman Williams requested Mr. Joel Gardner report on JETS providing free rides to children. Mr. Gardner reported from Memorial Day through Labor Day they would be providing free summer time rides for children from the ages of 18 and under, but the rule of being accompanied by an adult for anyone 12 and under still applies. He further explained during the summer months meals are provided to children, but they have no way of getting there. The free bus fare would resolve that problem. Mr. Gardner also stated they would be providing rides for the 4th in the Forrest.

Councilwoman Williams questioned Dr. Coleman on the status of Project 365 for this coming Saturday. Dr. Coleman stated it was his understanding they were to work on June 23rd, but had received two separate phone calls stating the meeting had been cancelled. He explained he was out due to surgery. Mayor Formon stated he found out today they were not having Project 365. Dr. Coleman suggested he and Mayor Formon meet to determine who is in charge of the project, saying there were too many chiefs and not enough indians.

Chief Yates stated they were having conflicts with scheduling Project 365 due to other events, and in the mean time Code Enforcement finished the work being planned for Project 365, so they plan to schedule it for the fall.

Councilman Moore questioned the status of internet access for the use of Legistar. City Clerk Donna Jackson explained a drafted ordinance had been entered into Legistar that would provide necessary equipment for the City Council, and was waiting for review by the Mayor and City Attorney, and would be on the next Finance Committee agenda for their review.

Councilman Hargis stated he was still waiting for a response on the list of five properties regarding drainage. Councilman Hargis also stated it has been several years since the audio has been updated, and suggested the issue be reviewed again so the audience can hear. Several members of the city council stated they were having difficulty hearing. Mayor Formon stated they would have Audio Express come in and correct the sound.

10. Public Comment

Mr. Jerry Larkin of 1316 Kitchen Street addressed the Jonesboro City Council regarding drainage problems on Kitchen Street. He explained part of his flooding problem has been solved by the installation of a ditch on Steel Street. He explained the water running off Nettleton Street does not go down the storm drains. He explained the water comes down east and west of Nettleton and meets in the middle, but does not deposit in Councilman Dover's yard. Mr. Larkin stated he was asked to be the spokesman for seven families in the area, and complained that public comment was offered for every resolution except the one for Councilman Dover's

property. However all the resolutions approved under the "Consent Agenda" had no discussion, however the resolution for Councilman Dover's property was read in its entirety and was offered for discussion. Mr. Larkin stated they have never been asked how to fix the drainage problem, and after five years still have problems with drainage. Mayor Formon requested Mr. Larkin get with the Public Works staff to try and resolve the matter.

11. Adjournment.

_____ **Date:** _____
Mayor Doug Formon

ATTEST:

_____ **Date:** _____
Donna K. Jackson, MMC, City Clerk