



# City of Jonesboro

Municipal Center  
300 S. Church Street  
Jonesboro, AR 72401

## Meeting Minutes City Council

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Tuesday, February 3, 2015

5:30 PM

Municipal Center

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

### PUBLIC SAFETY SPECIAL CALLED MEETING AT 5:15 P.M.

### FINANCE COMMITTEE SPECIAL CALLED MEETING AT 5:20 P.M.

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

#### 2. PLEDGE OF ALLEGIANCE AND INVOCATION

#### 3. ROLL CALL BY CITY CLERK DONNA JACKSON

**Present** 10 - Darrel Dover; Ann Williams; Chris Moore; John Street; Tim McCall; Gene Vance; Chris Gibson; Rennell Woods; Charles Coleman and Todd Burton

**Absent** 2 - Charles Frierson and Mitch Johnson

#### 4. SPECIAL PRESENTATIONS

#### 5. CONSENT AGENDA

##### *Approval of the Consent Agenda*

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

**Aye:** 10 - Darrel Dover; Ann Williams; Chris Moore; John Street; Tim McCall; Gene Vance; Chris Gibson; Rennell Woods; Charles Coleman and Todd Burton

**Absent:** 2 - Charles Frierson and Mitch Johnson

#### [MIN-15:011](#)

Minutes for the City Council meeting on January 20, 2015

**Attachments:** [Minutes](#)

This item was **PASSED** on the consent agenda.

#### 6. NEW BUSINESS

## ORDINANCES ON FIRST READING

ORD-15:004

AN ORDINANCE TO AMEND CHAPTER 117, ARTICLE III, KNOWN AS THE ZONING ORDINANCE OF THE CITY OF JONESBORO, ARKANSAS, PROVIDING FOR CHANGES IN ZONING BOUNDARIES FROM R-1 TO RS-7 AND FROM R-1 TO RM-8 FOR PROPERTY LOCATED AT 1621 NORTH PATRICK STREET AS REQUESTED BY DENVER DUDLEY

**Attachments:**     [Plat](#)  
                              [MAPC Report](#)  
                              [Opposition Email](#)

*Councilman Gibson offered the ordinance for first reading by title only.*

*Mr. John Easley, with Associated Engineering, and Mr. Steve Perry, a developer, represented the owners. Mr. Easley explained it is two tracts of land. They are going to have single family lots on the RM-7 property and duplexes on single lots on the RM-8 property. All of the housing will be for low-income households, with the duplexes being exclusively for elderly housing.*

*Councilman Woods asked if the property owners are local. Mr. Easley answered yes. City Planner Otis Spriggs explained the MAPC recommended the rezoning with a 7-1 vote. There will be 25 duplexes and 40 single family homes. Citizen concerns heard at the MAPC meeting centered around Patrick Street, in regards to widening the street due to safety concerns for pedestrians. He noted approximately 150 units in terms of single family homes could be built in the area now under the current R-1 zoning.*

*Councilman Coleman asked how long it would take to widen Patrick Street. Mr. Spriggs stated there is no engineering study that has occurred concerning widening Patrick Street. All he is aware of is preliminary surveying work being done. Mayor Perrin noted that Patrick Street has been designated by the Master Street Plan Committee as a major arterial road from Johnson Avenue to the north, so future studies will be done on Patrick.*

*Councilman Burton questioned the tracts of land. Mr. Spriggs stated each tract is 12-1/2 acres for a total of 25 acres. There are provisions for green space and drainage on each tract.*

*Councilman Moore asked if the zoning goes along with the property and not the project, so if the owner decides to sell the property they will be able to keep the RM-7 and RM-8 zoning. City Attorney Carol Duncan answered yes, but the restrictions placed on the property by the MAPC would also stay with the property which limited the number of units to an agreed upon number.*

*Councilman Moore then questioned whether an exemption from HUD would be needed in order to restrict the housing to elderly individuals only. City Attorney Duncan stated she does think that is the requirement and it was addressed at the MAPC meeting. It was indicated at the MAPC meeting that the property owners are already going through that process with Fair Housing. Mr. Spriggs agreed, adding the developer has agreed to supply the city with the letter from HUD. Councilman Moore recommended collecting those letters from developers now on.*

*Mrs. Carolyn Tinsley spoke in opposition to the rezoning. She questioned the compliance of Patrick Street with its status of being a collector road. She asked that*

*the city upgrade Patrick Street to city specifications before rezoning any more property in that area. Mrs. Tinsley explained that she was once denied the ability to build a shop building because it would be too large compared to the size of her home. She stated that citizens are required to abide by city codes and ordinances, yet the city doesn't have to abide by their own codes. She then questioned how long it would be before the city will be able to upgrade Patrick Street. She discussed drainage problems in the area and further discussed safety issues.*

*Mr. Gary Smith, 2111 Mitzi Lane, also spoke in opposition to the rezoning. He expressed concern about Patrick Street and recommended widening Patrick Street before any more rezoning takes place. He also noted they have a drainage problem in that area that needs to be improved.*

*Ms. Norma Ferrell, 108 E. Gordon Street, spoke in favor of the rezoning. She stated she knows of elderly individuals who have been on waiting lists for years for housing to become available for them. Elderly citizens do not have the money to afford an apartment and they shouldn't have to wait two years for a place to live.*

*Mr. Jerry Wilcox, Bennett Addition, stated he would like the city to go on record and say that Patrick Street will be widened before site preparation will be done on this project.*

*Mr. Steve Gillis stated Patrick Street is a problem. He explained the street is more of a problem now than it was when he moved into the area 26 years ago. He further explained there are people who walk in the middle of the road because there is no other place for them to walk. He expressed concern about the safety of the street and the area if the rezoning occurs.*

*Mr. Perry then discussed the rezoning. He explained he can't speak to the streets, but there will be onsite management and they will be aggressively managed. He noted everyone who is on the lease will be checked out. He manages a property similar to this one in his hometown in Louisiana. He also manages an elderly property outside of his hometown. He further explained the property has to be rentable for a 15-year period or else the property will lose their tax credit status. At the end of the 15 years, the property can be rehabbed and put back into the program for another 10 years after which the property can be sold. Typically the intent is to try and sell the homes to the people who are currently living there after the 25 year period is up. The units also will have a 35-year guarantee that they will remain low income. The age restriction is 55 and older for the elderly property for the 35-year guarantee.*

*Councilman Moore clarified Mr. Perry is not the owner of the properties. Mr. Perry agreed, adding he has an option to purchase the properties. He then explained the property will go through a low income tax credit application through the Arkansas Development Finance Authority and he will be able to apply for credits in March in order to start the project. Councilman Dover asked if the credits are not awarded, then will he still develop the property. Mr. Perry answered no. Councilman Dover then questioned whether Mr. Perry can still apply for credits if the property isn't rezoned. Mr. Perry answered yes, he can still apply for credits on the single family property, but not on the elderly property. He does intend on moving forward with that application whether or not he receives the credits.*

*Councilman Moore asked if there was an MAPC restriction for elderly housing on the property. City Attorney Duncan stated she thinks the restrictions were just for the number of units on the property. She added she does not think the city can restrict the property to be just for elderly individuals.*

*Councilman Dover asked for the City Attorney and City Planner to research they can restrict the rezoning of the RM-8 property to be contingent upon whether or not Mr. Perry receives funding for the elderly housing project. City Attorney Duncan stated her initial answer is no, but she will research it to get a final answer. Councilman Vance noted that due to the MAPC restrictions the RM-8 property will still be limited.*

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

**Aye:** 10 - Darrel Dover;Ann Williams;Chris Moore;John Street;Tim McCall;Gene Vance;Chris Gibson;Rennell Woods;Charles Coleman and Todd Burton

**Absent:** 2 - Charles Frierson and Mitch Johnson

## **7. UNFINISHED BUSINESS**

### *ORDINANCES ON THIRD READING*

#### **ORD-15:001**

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 5200 EAST JOHNSON AS REQUESTED BY JASON MARSHALL & FIRST ASSEMBLY OF GOD

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

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

**Aye:** 10 - Darrel Dover;Ann Williams;Chris Moore;John Street;Tim McCall;Gene Vance;Chris Gibson;Rennell Woods;Charles Coleman and Todd Burton

**Absent:** 2 - Charles Frierson and Mitch Johnson

Enactment No: O-EN-003-2015

## **8. MAYOR'S REPORTS**

*Tomorrow the city will have a grand opening at the new fire station on Neely Road at 10 a.m. This will complete the five-year plan.*

*Last night the city held the first public hearing regarding the Land Use Plan and Master Street Plan. All of the comments will be compiled for review.*

*They have sent a letter to US Bank regarding the Citizens Bank Building. They requested a meeting. They think the land underneath the building is in a trust and will go with the property. They sent, along with the letter, several photos showing the condition of the building.*

*The Holiday Pay Committee met in January. From that, he will be appointing another committee to look at the salaries and benefits for all employees in the city in the near future.*

*He will present the State of the City Address at the next meeting. He will be dedicating it to the city employees.*

**COM-15:008**

Moratorium Committee recommendations overview as provided by Mayor Perrin to the City Council at the meeting on February 3, 2015

**Sponsors:** Mayor's Office

**Attachments:** [Moratorium Recommendations](#)

*Mayor Perrin visited with Councilman Moore concerning the Moratorium Committee recommendations. He provided the Council with a report showing the recommendations and their status. Some of the items have already been completed.*

**This item was Filed.**

**9. CITY COUNCIL REPORTS**

*Councilman Street questioned what the status is of forming a group with the Highway Department to look at the overpass project on Highway 18. Mayor Perrin stated he will be going to the Highway Department along with City Engineer Craig Light and Traffic Engineer Mark Nichols on Thursday. They will be going through all of the firms who have submitted a request for qualifications. They should leave with an engineering firm for the environmental and design work for the project.*

*Councilman Street motioned, seconded by Councilman Gibson, to suspend the rules and place RES-15:006 on the agenda. All voted aye.*

**RES-15:006**

A RESOLUTION TO ACCEPT A MAINTENANCE AGREEMENT FOR STORMWATER MANAGEMENT FACILITIES FOR SON-TINA BROWN'S LANE MINOR PLAT, A COMMERCIAL DEVELOPMENT

**Sponsors:** Engineering and Planning

**Attachments:** [Maintenance Agreement](#)  
[Plat](#)

**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:** 10 - Darrel Dover;Ann Williams;Chris Moore;John Street;Tim McCall;Gene Vance;Chris Gibson;Rennell Woods;Charles Coleman and Todd Burton

**Absent:** 2 - Charles Frierson and Mitch Johnson

Enactment No: R-EN-016-2015

*Councilman Street motioned, seconded by Councilman Gibson, to suspend the rules and place ORD-15:002, ORD-15:005, RES-14:231, RES-15:002, RES-15:003, RES-15:004, RES-15:005 and RES-15:008 on the agenda. All voted aye.*

**ORD-15:002**

AN ORDINANCE TO WAIVE COMPETITIVE BIDDING AND AUTHORIZE PURCHASE OF REPAIRS ON SANITATION TRUCK.

**Sponsors:** Finance

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

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

*After adoption of the ordinance, Councilman Gibson motioned, seconded by Councilman Street, 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 with the following vote:**

**Aye:** 10 - Darrel Dover;Ann Williams;Chris Moore;John Street;Tim McCall;Gene Vance;Chris Gibson;Rennell Woods;Charles Coleman and Todd Burton

**Absent:** 2 - Charles Frierson and Mitch Johnson

Enactment No: O-EN-004-2015

**ORD-15:005**

AN ORDINANCE TO WAIVE COMPETITIVE BIDDING AND AUTHORIZE CITY OF JONESBORO TO PURCHASE A USED BUCKET TRUCK FROM I-80 EQUIPMENT

**Sponsors:** Finance

**Attachments:** [I-80 Equipment Invoice](#)

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

*Councilman Moore 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 Councilwoman Williams, to adopt the emergency clause. All voted aye.*

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

**Aye:** 10 - Darrel Dover;Ann Williams;Chris Moore;John Street;Tim McCall;Gene Vance;Chris Gibson;Rennell Woods;Charles Coleman and Todd Burton

**Absent:** 2 - Charles Frierson and Mitch Johnson

Enactment No: O-EN-005-2015

**RES-14:231**

RESOLUTION BY THE CITY COUNCIL OF THE CITY OF JONESBORO, ARKANSAS REQUESTING CITY WATER & LIGHT (CWL) PURCHASE A FIRE TRUCK FOR THE CITY OF JONESBORO

**Sponsors:** Finance

*Councilman Street abstained from discussion and voting on this item.*

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

**Aye:** 10 - Darrel Dover;Ann Williams;Chris Moore;John Street;Tim McCall;Gene Vance;Chris Gibson;Rennell Woods;Charles Coleman and Todd Burton

**Absent:** 2 - Charles Frierson and Mitch Johnson

Enactment No: R-EN-017-2015

**RES-15:002**

AUTHORIZING THE CITY OF JONESBORO TO ENTER INTO AGREEMENT WITH THE ARKANSAS STATE POLICE FOR THE ICAC13 SUB GRANT.

**Sponsors:** Grants

**Attachments:** [ICAC13 1st Continuation Subgrant Special Conditions.docx](#)  
[ICAC13 1st Continuation Approved Subgrant Budget Detail Worksheet-JPD.》](#)  
[ICAC13 1st Continuation Sub Grant Agreement-JPD.doc](#)  
[ICAC13 1st Continuation Subgrant Award Letter-JPD.pdf](#)  
[Signed ICAC13 MOU-Jonesboro Police Department.pdf](#)

*Grants Administrator Heather Clark explained this is grant money for the Internet Crimes Against Children unit at the Police Department. The money will be used for server space. They have a server that is at 90% capacity, so they need additional server space. Part of the money will also be used for training.*

**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:** 10 - Darrel Dover;Ann Williams;Chris Moore;John Street;Tim McCall;Gene Vance;Chris Gibson;Rennell Woods;Charles Coleman and Todd Burton

**Absent:** 2 - Charles Frierson and Mitch Johnson

Enactment No: R-EN-018-2015

**RES-15:003**

RESOLUTION BY THE CITY COUNCIL OF THE CITY OF JONESBORO, ARKANSAS AUTHORIZING THE MAYOR TO ENTER INTO AN AMENDED CONTRACT WITH TOTAL LIFE HEALTHCARE FOR TRANSPORTATION SCHEDULING

**Sponsors:** Finance

**Attachments:** [Addendum to Contract between JETS and TLH for scheduling services](#)  
[Addendum to Contract between JETS and TLH for scheduling services \(PDF\)](#)

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

**Aye:** 10 - Darrel Dover;Ann Williams;Chris Moore;John Street;Tim McCall;Gene Vance;Chris Gibson;Rennell Woods;Charles Coleman and Todd Burton

**Absent:** 2 - Charles Frierson and Mitch Johnson

Enactment No: R-EN-019-2015

**RES-15:004**

RESOLUTION BY THE CITY COUNCIL OF THE CITY OF JONESBORO, ARKANSAS CERTIFYING LOCAL GOVERNMENT ENDORSEMENT OF BUSINESS TO PARTICIPATE IN THE TAX BACK PROGRAM (AS AUTHORIZED BY SECTION 15-4-2706(d) OF THE CONSOLIDATED INCENTIVE ACT OF 2003).

**Sponsors:** Finance

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

**Aye:** 10 - Darrel Dover;Ann Williams;Chris Moore;John Street;Tim McCall;Gene Vance;Chris Gibson;Rennell Woods;Charles Coleman and Todd Burton

**Absent:** 2 - Charles Frierson and Mitch Johnson

Enactment No: R-EN-020-2015

**RES-15:005**

RESOLUTION BY THE CITY COUNCIL OF THE CITY OF JONESBORO, ARKANSAS CERTIFYING LOCAL GOVERNMENT ENDORSEMENT OF BUSINESS TO PARTICIPATE IN THE TAX BACK PROGRAM (AS AUTHORIZED BY SECTION 15-4-2706(d) OF THE CONSOLIDATED INCENTIVE ACT OF 2003).

**Sponsors:** Finance

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

**Aye:** 10 - Darrel Dover;Ann Williams;Chris Moore;John Street;Tim McCall;Gene Vance;Chris Gibson;Rennell Woods;Charles Coleman and Todd Burton

**Absent:** 2 - Charles Frierson and Mitch Johnson

Enactment No: R-EN-021-2015

**RES-15:008**

RESOLUTION BY THE CITY COUNCIL OF THE CITY OF JONESBORO, ARKANSAS AUTHORIZING THE MAYOR'S SALARY RECOMMENDATION FOR FILLING THE POSITION OF COMMUNICATIONS DIRECTOR IN COMPLIANCE WITH THE SALARY SCHEDULE AND ADMINISTRATION POLICY

**Sponsors:** Finance

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

**Aye:** 10 - Darrel Dover;Ann Williams;Chris Moore;John Street;Tim McCall;Gene Vance;Chris Gibson;Rennell Woods;Charles Coleman and Todd Burton

**Absent:** 2 - Charles Frierson and Mitch Johnson

Enactment No: R-EN-013-2015

*Councilman Woods stated there are a lot of concerns with the safety and sidewalks on North Patrick. He noted that area should be an area of priority.*

*Councilman Burton noted the guardrails on Paragould Drive are up and the residents in that area are very thankful.*

*Councilwoman Williams announced a meeting of the Suddenlink Complaint Committee Tuesday at 4:00 p.m. She noted the meeting won't be to hear complaints; rather, it will be held in order to set out the rules for the committee.*

*Councilman Moore noted when the current apartment complex on North Patrick was being proposed the residents came out in objection to that project due to problems with Patrick Street. That was 8 years ago. He stated Patrick Street is still an issue and he would like the city to move forward in finding a solution. Councilman Coleman agreed with Councilman Moore's comments. He stated whatever can be done to speed up the process of improving Patrick Street would be greatly appreciated.*

**10. PUBLIC COMMENTS**

*Mr. Phillip Cook, 5216 Richardson Drive, commended the Police and Fire Departments for their quick response to an incident near Limestone and Richardson.*

*Mr. Steve Perry, who earlier discussed the rezoning proposal for North Patrick, stated his application for tax credits is due on March 2nd. He asked when the rezoning may be approved. Mayor Perrin explained the rezoning ordinance is being held for three separate readings, so the earliest it will be approved is March 3rd. Mr. Perry noted that is beyond his deadline, so he asked if there was any way that could be changed. Mayor Perrin stated the only way it can be changed is by motion of the Council.*

**11. ADJOURNMENT**

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

**Aye:** 10 - Darrel Dover; Ann Williams; Chris Moore; John Street; Tim McCall; Gene Vance; Chris Gibson; Rennell Woods; Charles Coleman and Todd Burton

**Absent:** 2 - Charles Frierson and Mitch Johnson

\_\_\_\_\_ **Date:** \_\_\_\_\_

**Harold Perrin, Mayor**

**Attest:**

\_\_\_\_\_ **Date:** \_\_\_\_\_

**Donna Jackson, City Clerk**