



City of Jonesboro

300 S. Church Street
Jonesboro, AR 72401

Meeting Minutes City Council

Tuesday, December 3, 2013

5:30 PM

Municipal Center

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

APPEAL HEARING AT 5:15 P.M.

City Attorney Phillip Crego explained earlier today a petition was filed by The Reserve at Sage Meadows against the City of Jonesboro and City Council requesting a temporary restraining order. It stated the Council is not allowed to disturb the MAPC's site plan approval for The Reserve at Sage Meadows, LLC. He stated the City Council does not need to discuss nor take action regarding this appeal. The City has not been formally served and was not able to present anything on the City's behalf. That opportunity will be given to the City in the future. But, as of now the City Council is not able to change the decision by the MAPC. Based on that opinion, Councilman Moore motioned, seconded by Councilman Street, to end this appeal hearing. All voted aye. Councilman Fears noted the Council members were not served with the papers until they arrived at the meeting.

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

4. SPECIAL PRESENTATIONS

COM-13:098

Proclamation by Mayor Perrin honoring the Valley View High School state championship volleyball team

Sponsors: Mayor's Office

This item was Read.

COM-13:099

Proclamation by Mayor Perrin honoring Jonesboro High School state championship volleyball team

Sponsors: Mayor's Office

This item was Read.

5. CONSENT AGENDA

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

MIN-13:105

Minutes for the City Council meeting on November 19, 2013

Attachments: [Minutes](#)

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

RES-13:198

RESOLUTION AUTHORIZING THE CITY OF JONESBORO TO ENTER INTO AGREEMENT WITH THE EAST ARKANSAS PLANNING AND DEVELOPMENT DISTRICT AND ACCEPT THE 2013 GRANT FOR MIRACLE LEAGUE

Sponsors: Grants

Attachments: [Grant Agreement EAPDD Miracle League](#)

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

Enactment No: R-EN-194-2013

RES-13:199

RESOLUTION AUTHORIZING THE CITY OF JONESBORO TO ENTER INTO AGREEMENT WITH THE EAST ARKANSAS PLANNING AND DEVELOPMENT DISTRICT AND ACCEPT THE 2013 GRANT FOR THE NETTLETON AVENUE COMMUNITY CENTER

Sponsors: Grants

Attachments: [Grant Agreement EAPDD Nettleton Avenue Community Center](#)

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

Enactment No: R-EN-195-2013

RES-13:204

A RESOLUTION OF THE CITY OF JONESBORO, ARKANSAS TO ACCEPT THE LOW BID AND ENTER INTO A CONTRACT WITH LAKESIDE CONTRACTORS, LLC FOR THE CROWLEY'S RIDGE PARKWAY: JONESBORO MULTI-USE TRAIL (JOB NO. 100728)

Sponsors: Parks & Recreation

Attachments: [Jonesboro Crowleys Ridge Scenic Byway Bid Documents-Lakeside](#)

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

VOICE VOTE

Enactment No: R-EN-196-2013

RES-13:205

RESOLUTION TO AUTHORIZE THE CITY OF JONESBORO TO ENTER INTO AGREEMENT WITH THE ARKANSAS ECONOMIC DEVELOPMENT COMMISSION TO RECEIVE GRANT FUNDS FOR THE CITY OF JONESBORO SEWER EXTENSION PROJECT

Sponsors: Grants

Attachments: [AEDC Grant Agreement Sewer Extension Project](#)
[AEDC Grant Reimbursement Agreement](#)

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

Enactment No: R-EN-197-2013

6. NEW BUSINESS**COM-13:097**

Decision by the City Council concerning the appeal by Sage Meadows Property Owners Association regarding the approval of the site plan requested by The Reserve at Sage Meadows, LLC for apartment units located at the end of Prairie Dunes Lane in Sage Meadows

Attachments: [Injunction](#)
[Appeal letter 110513](#)
[August 13, 2013 Minutes](#)
[October, 2013, Minutes](#)

City Attorney Phillip Crego explained a restraining order has been put on the City Council prohibiting the Council from taking any action at this point in time until permission is granted by the court.

Read**RESOLUTIONS TO BE INTRODUCED****RES-13:185**

RESOLUTION BY THE CITY COUNCIL OF THE CITY OF JONESBORO, ARKANSAS TO AMEND THE CITY'S SALARY & ADMINISTRATION POLICY TO ALLOW MERIT INCREASES FOR EXCEPTIONAL JOB PERFORMANCE AND/OR INCREASED JOB TRAINING OR CERTIFICATIONS

Sponsors: Finance

Attachments: [Appendix A](#)

Mayor Perrin explained this resolution was postponed temporarily in order to provide more information to the Council. He presented the Council with guidelines for merit increases. He also informed the Council the Employee Representative Committee voted 13-3 to endorse the merit increase. He discussed the reasons for merit increases and noted the resolution will amend the salary plan to allow for merit increases. He does not anticipate a lot of increases, but there is a line item in the 2014 budget for merit increases. They are budgeting for \$75,000 in merit increases. He stated he doesn't anticipate using all of the funds, but they did have to put some sort of dollar amount in the line item.

Councilman Vance questioned whether the guidelines are incorporated into the resolution. Mayor Perrin answered no, the resolution itself has not changed. Councilman Vance then asked if there is a way for the guidelines to be incorporated into the resolution. Mayor Perrin asked City Attorney Crego if the resolution could be amended to include the guidelines. City Attorney Crego answered yes, the resolution could be re-written to include the guidelines. If the resolution was passed as it is currently written, it would not include the guidelines because they would be voluntary. Councilman Vance recommended postponing the resolution for two weeks in order to re-write it so the guidelines can be included in order to prevent confusion or prejudice in the future.

Councilman Dover asked if the guidelines should be more specific than what is presented at this time. Councilman Vance explained he doesn't think the guidelines need to be more specific; rather, there does need to be some sort of guidelines in the resolution. Councilman Street expressed concern that this could bring disharmony among the employees because the increases would be subjective. He explained it could do harm to the spirit of teamwork due to employees who work hard not getting increases. Discussion was held concerning the salary plan and merit increases.

A motion was made by Councilman Gene Vance, seconded by Councilman Chris Moore, that this matter be Postponed Temporarily in order to add the guidelines to the resolution. The motion PASSED with the following vote:

Aye: 12 - Darrel Dover; Ann Williams; Charles Frierson; Chris Moore; John Street; Mitch Johnson; Tim McCall; Gene Vance; Chris Gibson; Rennell Woods; Mikel Fears and Charles Coleman

RES-13:209

RESOLUTION TO SET A PUBLIC HEARING REGARDING THE ABANDONMENT OF A TWENTY FOOT WIDE DRAINAGE EASEMENT IN BLOCK D OF BRIDGER PLACE PHASE II SUBDIVISION AS REQUESTED BY PHILLIPS INVESTMENTS

Attachments: [Petition](#)
[Plat](#)

Mayor Perrin asked for the hearing to be set for December 17, 2013, at 5:15 p.m.

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

Enactment No: R-EN-198-2013

7. UNFINISHED BUSINESS

8. MAYOR'S REPORTS

Mayor Perrin reported on the following items:

He visited with the Highway Department today to review pending projects. The Department will be signing the documentation for the Parker Road extension to Washington Avenue. That project is budgeted for in 2014.

Union Pacific Railroad will be here December 10th.

They have made contact with the attorneys for Wolverine. The changes the City has requested have been made. They have not been provided with the legal descriptions of the property the City will be purchasing, but hope to have it by the end of the year. Some of the property has back taxes, which the City will have to pay. The total is about \$26,000 to \$28,000. Once the property is acquired, the City will apply for ADEQ funding to clean the area.

They closed on the Patrick Street property for \$28,000.

City Planner Otis Spriggs is putting together a tour for the Moratorium Committee to view the multi-family facilities in town. Some of the dilapidated properties J-Quad labeled will be going up for condemnation soon.

Tomorrow they will be installing radar speed signs by Jonesboro High School due to the speeding problem.

The jail contract is expiring in December. They have negotiated it down and it is calculated in the 2014 budget proposal. The contract will be going to the Council for approval.

9. CITY COUNCIL REPORTS

Councilman Street motioned, seconded by Councilman Dover, to suspend the rules and place RES-13:208 on the agenda. All voted aye.

RES-13:208

A RESOLUTION TO ACCEPT A MAINTENANCE AGREEMENT FOR STORMWATER MANAGEMENT FACILITIES FOR WINDSOR LANDING PHASES 5 & 6, A RESIDENTIAL SUBDIVISION

Sponsors: Engineering

Attachments: [Maintenance Agreement.pdf](#)

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; Tim McCall; Gene Vance; Chris Gibson; Rennell Woods; Mikel Fears and Charles Coleman

Enactment No: R-EN-199-2013

Councilman Woods discussed a recent email he received concerning the renaming of Highway 141 to Dr. Martin Luther King, Jr. Blvd. He expressed concern over some of the statements and stated the issues need to be addressed. The citizen indicated he was hesitant to speak against the renaming because he may be labeled as a racist or his comments may be labeled as being racist. Councilman Woods stated he was disturbed by that comment because any citizen should feel like they can speak, whether they are black or white, and be able to share their feelings without being judged. He explained there is a great opportunity to talk about these issues and face them. Mayor Perrin agreed, adding that he hopes that all the citizens know they can go before the Council at any time on any issue on any subject.

Councilman Fears asked for an update on the new police station. Mayor Perrin explained they have started demolition. They have weekly meetings with the contractor and architect. He added he will send the Council an email to update them on the progress. They expect to be in the building at the beginning of May.

Councilman Gibson motioned, seconded by Councilman Moore, to suspend the rules and add RES-13:211 to the agenda. All voted aye.

RES-13:211

RESOLUTION TO APPOINT CARROLL CALDWELL TO THE MULTI-FAMILY HOUSING MORATORIUM COMMITTEE

Sponsors: Mayor's Office

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

Aye: 10 - Darrel Dover;Ann Williams;Charles Frierson;Chris Moore;John Street;Mitch Johnson;Tim McCall;Gene Vance;Chris Gibson and Charles Coleman

Nay: 2 - Rennell Woods and Mikel Fears

Enactment No: R-EN-200-2013

Councilwoman Williams stated the Finance Committee regular monthly meeting will fall on Christmas Eve. The meeting was rescheduled for Tuesday, December 17th, at 5:05 p.m.

Councilman Moore discussed the new signage in the downtown area showing available parking. He stated they are nice signs and will be very helpful. He then referred to the Mayor's comments about Wolverine. He asked if that includes the property on Highway 163. Mayor Perrin answered yes, it includes all property they own within the city limits. He added there are about four parcels. Further discussion was held concerning the property.

10. PUBLIC COMMENTS

Mr. Harold Carter, 902 Tony Drive, asked what Councilman Woods was referring to during his comments under City Council Reports. Councilman Woods explained the comments were in reference to the renaming of Highway 141 to Dr. Martin Luther King, Jr. Blvd.

Mr. Pete Gambill, 1715 N. Church Street, spoke in opposition to the renaming of Highway 141 to Dr. Martin Luther King, Jr. Blvd. He stated Councilman Coleman did not ask the residents in the area if they wanted the renaming and he should have. He noted the Council has been presented with a petition with names of property owners on North Church that are in opposition to the renaming.

Mr. Gary Tate, who owns property on North Church, stated he does not think Councilman Coleman has a personal agenda and he has great respect for Dr. Martin Luther King. He noted he is against the name change and recommended naming a future street after Dr. Martin Luther King as opposed to an existing street.

Mr. Larry Jackson, chairman of the Employee Representative Committee, discussed

the proposed merit raises. He stated in the meeting it was explained that these raises would be in addition to cost of living increases. Councilman Woods asked if he was for or against the merit increase proposal. Mr. Jackson answered that he is for the increases as they are currently written.

Ms. Sherry Broadway pointed out several property owners from North Church are in attendance concerning the renaming of North Church/Highway 141 to Dr. Martin Luther King, Jr. Blvd. Mayor Perrin noted the resolution will be presented to the Public Works Committee at the meeting on the first Tuesday of January.

11. ADJOURNMENT

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

_____ **Date:** _____

Harold Perrin, Mayor

Attest:

_____ **Date:** _____

Donna Jackson, City Clerk