



City of Jonesboro

900 West Monroe
Jonesboro, AR 72401

Meeting Minutes City Council

Tuesday, March 4, 2008

6:30 PM

Council Chambers

PUBLIC WORKS COMMITTEE AT 4:30 P.M.

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

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

2. Pledge of Allegiance and Invocation

3. Roll Call by the City Clerk

ORD-08:003

AN ORDINANCE TO AMEND TITLE 14, KNOWN AS THE ZONING ORDINANCE PROVIDING FOR CHANGES IN ZONING BOUNDARIES LOCATED ON THE NORTHSIDE OF PEACHTREE AVENUE BETWEEN BRIDGER AND PEBBLEWOOD DRIVE, NORTH OF KARA DRIVE AS REQUESTED BY DOUBLE HILL, LLC

Attachments:

[Plat A](#)

[Plat B](#)

[MAPC Report](#)

[Peachtree Rezoning - Opposition Petition](#)

[February 21 Letter](#)

[Aerial Photo Showing Subject Property & Surrounding Zoning](#)

[Elevation of Quadplex](#)

[Floor Plan Community Building](#)

[Floor Plan Quadplex](#)

[Gate Diagram](#)

[Layout Concept Single Family RS5 \(Similar to R1\) \(8,700 Square](#)

[Phase I 10 Quadplexes 40 Units](#)

[Phase II 5 Quadplexes 20 Units](#)

[Property Value Analysis - St. Bernard's Village Area](#)

[Proposed Bill of Assurance](#)

[Proposed Development 15 Quadplexes 60 Units 18 Duplexes 36 U](#)

[Proposed Ordinance](#)

[Rendering of Quadplex Brick Stone Exterior](#)

[Storm Water Detention Summary](#)

[table.contents](#)

[Topographical Map of Entire 70 Acres](#)

[Traffic Study 31 Acres](#)

[Traffic Study 70 Acres](#)

[Withdrawal Statement to City Council](#)

[Withdrawal Press Release](#)

A motion was made by Councilman Harold Perrin, seconded by Councilman Chris Moore, to move ORD-08:003 to the beginning of the agenda. The motion PASSED

with a unanimous vote.

Attorney Don Parker announced the property owners withdrew their request for a rezoning. He explained they plan to develop the land as a retirement community consist with the requirements of R-1 zoning and will no longer require the rezoning. He thanked the Council for considering the matter.

Councilman Dover questioned what the difference is in withdrawing a request and tabling it. City Attorney Phillip Crego explained withdrawing an issue ends a matter and for it to be brought before Council again it would have to go back through MAPC. He further explained if it were just tabled it would be pending until the Council moves to bring it off the table.

A motion was made by Councilman Harold Perrin, seconded by Councilman Chris Moore, that this matter be Postponed Indefinitely . The motion PASSED by an unanimous 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

4. Special Presentations

COM-08:021

Preliminary audit report as presented by Crowe Chizek at the City Council meeting on March 4, 2008.

Attachments: [Preliminary Report](#)

Mr. Mike Claytor from Crowe Chizek discussed their report and recommendations. He explained they received cooperation from the administration and City employees. He noted they only listed details of capital improvements for anything over \$100,000. He stated if the Council wants to go into detail below \$100,000 they can do that, but it might not be feasible for over a 5 or 6-year period. He explained they did not end up with any items where purchasing requirements were violated for capital improvements. In reference to the jail bills, Mr. Claytor stated there is some question about how fees are calculated when it's for less than a day. He recommended clarifying the ordinance with accounting. He added the jail bills seem to be handled at this point. He then discussed the Street Department expenditures based on job locations. He explained they were not able to look at information job by job because the software, CarteGraph, is not being used as a project management tool even though it is capable of being used that way. He further explained they would have to look at every job order to identify which project it goes with. He noted it could be done but the Council should set a threshold because some work orders are only \$4. He recommended CarteGraph being used as a project management tool or the City can use the Springbrook project management module that the City already owns but has not implemented. Mr. Claytor explained they did not find any expenses concerning the convention center. He further explained they were told by staff there weren't any expenses.

Mr. Claytor then discussed Springbrook. He noted Springbrook was not implemented using Best Practices in the industry and there were no complete reconciliations done between Springbrook and the previous system. He explained there are a lot of training needs with the City employees. He further explained Springbrook has indicated they will provide additional training for the City at no extra cost.

Mr. Claytor went through their immediate action recommendations, non-immediate action recommendations and recommendations for further consideration. Councilwoman Furr questioned how the City uses CarteGraph. Mr. Claytor explained

the City uses CarteGraph as a job order tracking system, but not as a project management system. Councilwoman Furr clarified that, for example, the City is not using the system in a way that would allow them to figure out how much was spent for the Alberto-Culver project. Mr. Claytor agreed, saying the system is not currently being for that purpose. He further explained it is extremely important to track what employees are doing with their time, but with a lot of governmental units they don't tie equipment usage or other City costs to a project. He noted a lot of cities ignore the indirect costs. Councilwoman Furr stated it looks like the City of Jonesboro has ignored indirect costs. Mr. Claytor agreed but added it is not uncommon with governmental units. He explained most governmental units are worried about how the cash is being spent but don't take into consideration the fixed assets. He noted the next question would be to figure how far that would be taken. He explained they would have to question whether they also should take into consideration the cost of the Public Works Director and Finance Departments time on the project as well. Councilwoman Furr stated that hypothetically if the software isn't being used to its fullest extent then it would be easy to allocate costs to another project. Mr. Claytor agreed and added that can be done anyways without the proper controls in place to make sure the system is being used properly. Councilwoman Furr stated the City has done neither; it has not implemented the system fully and does not have the proper controls in place. Mr. Claytor agreed.

Councilman Hargis stated it seems the report doesn't have a lot of specifics and is largely hypothetical. He questioned why the City has had problems with Legislative Audit in the past. Mr. Claytor clarified the agreement was to find as much as possible within a two week period to limit the money spent and then to decide what would be looked into further. He explained one issue with Legislative Audit is that auditing standards have changed in that they find the problem and then either the City can fix it or the City can hire them to fix it. Councilman Hargis questioned the extent of the problem. Mr. Claytor stated the discrepancy he is referring to is the amounts that were out of balance for the 2005 audit that were a couple of million dollars. He explained the auditors recommended adjustments to be made and the City made them. He further explained now the auditor has to be independent and is not allowed to make adjustments. Councilman Hargis questioned what an adjustment is. Mr. Claytor stated adjustments that were proposed were a difference in accounts. He added the legislative auditor did not believe there was a shortage of cash; rather, they thought it was due to the conversion process with Springbrook. Mr. Claytor stated under the new standards the City has to be responsible for preparing financial statements and making adjustments. He noted the 2006 audit was not complete as of a little more than two weeks when he spoke with the auditors. He explained he does not know what the issues are with the 2006 audit because the auditors are not able to give him details. Councilman Perrin stated the problem started with the conversion. Mr. Claytor agreed, saying that is what they believe. Councilman Perrin then discussed an outsourced finance director. Mr. Claytor explained an outsourced finance director would have a firm prepare the financials and look for adjustments. He further explained they could have an outsourced internal auditor to come in and do data mining to look for issues, which is a separate issue from an outsourced finance director. Councilman McCall stated after looking at the report it looks like there are many opportunities for further review. Mr. Claytor agreed, saying there are a number of opportunities for further work with data mining, IT issues, and a number of other areas. Councilwoman Furr reminded everyone the report is just preliminary and that the Council or Finance Committee needs to come back to figure out where to go from here.

This item was Read.

Mr. Ryan Vaughan, chief meteorologist at KAIT, to discuss a new warning system

Mayor Formon explained Mr. Vaughan was not able to be at the Council meeting but will try to make it to the next Council meeting for his presentation.

COM-08:022

Presentation concerning tornado sirens as given by Ms. Misty Micenhamer at the City Council meeting on March 4, 2008.

Attachments: [Presentation](#)
[Additional Information](#)

Ms. Misty Micenhamer presented information for tornado sirens. Councilman McCall questioned whether there are people standing by each siren when they are tested each Thursday. Ms. Micenhamer stated right now they have actual manpower to go out and check. She added there should be a person under every siren. Councilman McCall then questioned the five sirens that were not working on February 7. Ms. Micenhamer explained they have been sounded, weather permitting, every Thursday but some of them had controllers so prior to February 7 she is not sure whether there was manual checking or not. Councilman Johnson questioned the lifespan of a siren and how long before the parts are hard to come by. Ms. Micenhamer stated they did not discuss it but it would be good to be on a schedule so that every few years sirens are replaced. Councilman Johnson then questioned how many of the current sirens the City cannot get parts for anymore. Public Works Director Erick Woodruff stated there are several. Councilman Johnson stated they should also replace the ones that there are no usable parts available for purchase. Mayor Formon questioned whether the controller that sets off the alarms should be in the 911 area or if someone else should take care of it. E911 Director Bob Andrews stated the County indicated they do not want to be in charge of the controller so it was put in their area. Councilman McCall asked for the administration to figure out what they want to do and come back with a more detailed presentation as to what will be done and how much it'll cost. Councilman Dover suggested figuring out the cost of adapting the current sirens to a new controller. Councilman Street also stressed they need reserves in case they're needed. Mr. Woodruff noted they currently have three sirens that do not function. He questioned whether they should wait or if they should go ahead and put them out for bid. Councilman Johnson suggested instead of ordering three, ordering five or six so there are a few in reserve. Councilman Perrin added they should order sirens that will be compatible to whatever controller will be purchased.

This item was Read.

5. Consent Agenda

This matter was Adopt the Consent Agenda

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

Approval of the Consent Agenda

A motion was made by to Approve the Consent Calendar. 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-08:023

Minutes for the February 19, 2008, City Council meeting.

Attachments: [021908](#)

This matter was Passed on the consent agenda.

RES-08:005

A RESOLUTION APPROVING AND ADOPTING THE CONTENTS OF "THE POLICY AND PROCEDURES MANUAL OF THE POLICE DEPARTMENT" IN THEIR ENTIRETY

Sponsors: Police Department

This matter was adopted on the consent agenda.

Enactment No: R-EN-028-2008

6. New Business

Ordinances on First Reading

ORD-08:017

AN ORDINANCE TO AMEND TITLE 14 KNOWN AS THE ZONING ORDINANCE PROVIDING FOR CHANGES IN ZONING BOUNDARIES AND FOR OTHER PURPOSES LOCATED AT 4712 STADIUM DRIVE AS REQUESTED BY JEFFREY & DEBRA BARBER

Attachments: [Plat](#)
[MAPC Report](#)
[Quitclaim Deed](#)
[Proposed Businesses](#)

Mayor Formon questioned whether there was any opposition to the rezoning. City Planner Otis Spriggs stated there was no opposition. He added after reading the ordinance once it was placed in Legistar he noticed some errors in the legal description. He stated Ms. Barber has corrected the errors and is willing to submit the new ordinance to the Clerk. City Clerk Donna Jackson noted due to the change in the ordinance it would have to start over at the first reading. Councilman Charles Frierson questioned whether it could just be amended. Ms. Jackson stated the ordinance can be amended in Legistar. She then questioned whether Mr. Spriggs wrote the ordinance. Mr. Spriggs stated he did not write the ordinance nor did he accept, but he did not review it until it was on the agenda. Ms. Jackson stated if Mr. Spriggs notices any problems then he can notify her before the ordinance is read for the first time. Mr. Spriggs stated he made Ms. Barber aware of the error three days ago. Ms. Jackson noted had she been told about the error it could've been fixed before the first reading. She asked for the changes and stated the ordinance would have to start over with the first reading.

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

This Ordinance was Held at one reading.

7. Unfinished Business

Ordinances on Second Reading

ORD-08:010

AN ORDINANCE AMENDING THE 2007 BUDGET ORDINANCE FOR THE CITY OF JONESBORO, ARKANSAS

Sponsors: Mayor's Office

Attachments: [Budget 2008 amendment](#)
[Additional Information](#)

Mr. Don Ray presented the Council with additional information regarding the cleanup ordinance. Councilwoman Williams asked for the ordinance to be held at second reading in order for the Council members to have time to review the information that was just submitted. Mr. Ray stated there is no rush on the ordinance. He explained his last day is March 14th, so if there are any questions he asked to be contacted before the 14th. Councilman Frierson questioned whether the ordinance went to the Finance Committee before being presented to Council. Mayor Formon stated in the past the cleanup ordinance has been brought straight to Council. Mr. Ray stated he doesn't know if it's necessary for it to go to Finance.

This Ordinance was Held at second reading.

8. Mayor's Reports

COM-08:020

2008 State of the City as presented by Mayor Formon at the City Council meeting on March 4, 2008.

Attachments: [2008 State of the City](#)

This item was Read.

9. City Council Reports

Councilman Street announced a Stormwater Board meeting for next Wednesday morning. He also stated the Owens and Valley project looks really good. He noted it has already had a positive impact in the area with the almost four inches of rain the City received yesterday.

Councilwoman Furr explained Ms. Washington on West Highland Drive, who has had previous problems with drainage in her area, the water is backing up in the sewers and coming in through her bathtub and toilets. She noted it is also affecting Mr. Wooten's home at 410. She stated when the street was overlaid it did away with the ditches so the water is going between the homes at 412 and 410. She asked for something to be done to help them if the Centre Grove project is put off much longer. Councilman Moore noted there is no connection between a sanitary sewer line and storm drainage, so whatever comes out of the bathtub or toilet would not be flood water. Councilwoman Furr explained the water was coming in the walls, not through the sewer lines. City Engineer Craig Light explained there may be something they can do for Mr. Wooten with the water running across his driveway. He further explained they can put in a culvert and tie it into the nearby box structure. He stated when they do the lower detention they will have to re-do the piece of pipe to help with Mr. Wooten's problem. He explained they already have an engineer's recommendation concerning Ms. Washington's property, which would be to put in a 6x4 box culvert and build a detention pond downstream. Councilman McCall questioned whether Ms. Washington's problem was caused by the City of Jonesboro. Mr. Light stated he's not sure he's qualified to say who is at fault, but the box culvert that goes through the area is inadequate for the water and needs to be replaced. Mayor Formon questioned whether the added overlay would contribute to the problems. Mr. Light explained in the three times he went through the area yesterday the water never went over the street but the water may have topped the box culvert. He further explained he doesn't know whether the overlay would contribute to the problem. Discussion was held concerning the priority of the project. Mr. Light explained they originally thought they could do that project this year, but since they have had problems with acquiring property by the school they aren't sure it will be done this year. Councilman Moore noted the homes in that area had not had water in homes; rather, the water was just an inconvenience in their yards. Councilwoman

Furr asked for someone from the City to assess the situation at Ms. Washington's home. Mayor Formon asked for Public Works Director Erick Woodruff to meet with Ms. Washington.

Councilman McCall discussed problems with Suddenlink. He stated it was suggested to him to have another public meeting due to the numerous changes with Suddenlink. He asked for it to be discussed at the next Public Safety meeting and asked for any suggestions from other Council members. Councilman Moore asked for someone to find out how much longer the City has with the current franchise agreement with Suddenlink. Mayor Formon explained he has an appointment scheduled to visit with Suddenlink. He asked whether they would like the general manager to give a report. Councilman McCall also suggested paying someone to take care of the Council meeting broadcasts.

Councilman Hargis stated he has served his last meeting on the Solid Waste Authority and there will no longer be a Council member on the board. He explained in the future there should be some sort of reporting from the Solid Waste Authority since there will no longer be Council members on the board. City Attorney Crego stated he is still going through the boards and commissions but it will be brought before Nominating and Rules. He added the administration and Council will have to decide whether they want a person to attend the meetings, yet be a non-voting member. Councilman McCall noted the City has given money to several outside agencies and don't know what is going on with the boards.

Councilman Province asked everyone to take a good look at the audit. He added there are several areas that should be considered further.

Councilman Frierson stated he was happy to hear Governor Beebe compliment the City, Council and Mayor for the support of Nestle. He noted Nestle will be spending \$60 million and add 200 more jobs to build on to their plant in order to make pizzas.

RES-08:054

A RESOLUTION OF THE CITY OF JONESBORO, ARKANSAS TO ACCEPT THE LOW BID AND ENTER INTO A CONTRACT WITH GILLIS FARMS, INC. FOR THE CONSTRUCTION OF THE PINES APARTMENTS DRAINAGE IMPROVEMENT PROJECT;

Sponsors: Engineering and Public Works

Attachments: Pines Apartments Project Bid
[Contract](#)

A motion was made by Councilman John Street, seconded by Councilman Charles Frierson, to place the resolution on the agenda. The motion Passed with a unanimous vote.

Councilman Street explained the resolution was taken and recommended by the Public Works Committee. He further explained they don't have much time to meet the court mandated deadline of July 31st.

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

Enactment No: R-EN-029-2008

10. Public Comment

11. Adjournment.

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