



City of Jonesboro

Municipal Center
300 S. Church Street
Jonesboro, AR 72401

Meeting Minutes City Council

Tuesday, December 15, 2015

5:30 PM

Municipal Center

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

PUBLIC HEARING AT 5:10 P.M.

Regarding the abandonment of a utility easement as requested by David & Belinda Chapman

No one spoke in opposition to the abandonment.

APPEAL HEARING AT 5:15 P.M.

As requested by St. Mark's Day School regarding the denial by the MAPC for a conditional use permit at 514 W. College

Councilman Moore noted an agreement has been reached between St. Mark's and Mike Gott. He asked the Council members to review the agreement as provided to them a few minutes ago that included a few conditions.

Ms. Peggy Stripling, director of St. Mark's Day School, spoke concerning the conditional use request. They would like to use the property at 514 W. College as an infant house Monday through Friday between 7:30 a.m. and 5:30 p.m. They will be working with babies from six weeks to twelve months. They have agreed to all of the conditions put upon them. There will be no signage and no advertising. They will make some modifications for safety issues and fire codes. But, they want the house to remain as unchanged as possible because they want it to look like a home. Their request was denied by the MAPC mainly due to safety concerns with parents walking across the street to pick up and drop off their children. They have had their architect draw up plans for a circle drive and will entertain the idea of a crosswalk, whatever is necessary for the safety of the children and parents.

Councilman Frierson noted the agreement does not cover the circle drive. He questioned whether that is something that needs to be added. Mayor Perrin stated they can add it to the agreement.

Mr. Mike Gott, 510 W. College, stated he objected to the conditional use at the MAPC meeting. He explained one of his main concerns is that he wanted the residence to stay residential. He met with Attorney Dennis Zolper and reached a tentative agreement, subject to the City Council's approval. He stressed he wanted those conditions be made a part of whatever decision the Council makes tonight.

Susan Geis, 516 W. College, spoke in favor of the approving the conditional use. She stated she is delighted to have St. Mark's as a neighbor to her property and she can't think of better neighbors.

Mike Williams also spoke in favor of approving the conditional use. He explained he

has a new granddaughter who needs a quality place to go and he thinks St. Mark's is that place. They had a grandson who went through that system without any problems.

PUBLIC HEARING AT 5:25 P.M.

Regarding the abandonment of the right-of-way of Second Street from the north right-of-way of Johnson Avenue to the south right-of-way of Word Street as requested by Tim Brown

Berl Smith, representing the applicant, explained they have decided not to close all of Second Street due to issues expressed by CWL and AT&T. So, they would like to close the alley. He noted he doesn't think the alley has ever been used and all of the property owners agreed to the closing. Mayor Perrin asked if city staff agrees with the closing. City Planner Otis Spriggs answered yes.

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

2. PLEDGE OF ALLEGIANCE AND INVOCATION

Pastor Roger Hutcheson from First Church of the Nazarene gave the invocation.

3. ROLL CALL

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

4. SPECIAL PRESENTATIONS

COM-15:071 Presentation by Mayor Perrin to the Valley View Girls Volleyball team for winning the Class 5A State Championship

Sponsors: Mayor's Office

This item was Filed.

COM-15:073 Presentation by Chief Rick Elliott updating the city on the crime reports

Sponsors: Mayor's Office and Police Department

Attachments: [Presentation](#)

Police Chief Rick Elliott discussed the Police Department, their current activities and what their direction is. See presentation attached to the communications file.

Mayor Perrin thanked the Police Department and other emergency agencies for their help with the recent incident at Arkansas State University involving an armed man on campus. Police Chief Elliott stated events like the one at ASU show that when things go bad in Jonesboro everyone pulls together for a peaceful resolution.

This item was Read.

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

MIN-15:114

Minutes for the City Council meeting on December 1, 2015

Attachments: [Minutes](#)

This item was APPROVED on the consent agenda.

RES-15:165

A RESOLUTION TO THE CITY OF JONESBORO, ARKANSAS TO CONTINUE A JOINT FUNDING AGREEMENT WITH THE U.S. GEOLOGICAL SURVEY, UNITED STATES DEPARTMENT OF THE INTERIOR FOR THE OPERATION AND MAINTENANCE OF TWO STREAMGAGES IN JONESBORO

Sponsors: Engineering

Attachments: [2016 Agreement](#)

This item was APPROVED on the consent agenda.

Enactment No: R-EN-152-2015

6. NEW BUSINESS

COM-15:075

Decision by the City Council regarding the appeal by St. Mark's Episcopal Church regarding the denial by the MAPC for a conditional use permit for certain modifications to a house owned by St. Mark's Day School located at 514 W. College.

Attachments: [Agreement between St. Mark's and Gott](#)
[Appeal letter](#)
[MAPC Minutes](#)
[MAPC Report](#)
[Photographs of property](#)

Councilman Moore motioned, seconded by Councilman Coleman, to approve the conditional use permit pending the agreement between Dennis Zolper and Michael Gott be complied with. All voted aye.

ORDINANCES ON FIRST READING

ORD-15:061

AN ORDINANCE AMENDING THE JONESBORO CODE OF ORDINANCES, SECTION 117-330, ADOPTING A POLICY AND PROCEDURE FOR THE REQUIREMENTS OF SIDEWALKS ON ALL NEW COMMERCIAL AND MULTI-FAMILY DEVELOPMENTS HAVING 5 OR MORE UNITS, WITHIN THE CITY

LIMITS OF JONESBORO, ARKANSAS

Sponsors: Planning

Attachments: [1962 JONESBORO CODE SIDEWALKS Maintenance](#)
[Jonesboro sidewalk policy and policies of other cities](#)

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

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

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;Charles Coleman and Todd Burton

Enactment No: O-EN-054-2015

ORD-15:067

ORDINANCE TO VACATE AND ABANDON A TEN (10') WIDE UTILITY EASEMENT AS REQUESTED BY DAVID & BELINDA CHAPMAN

Attachments: [Plat](#)
[Reason for emergency clause](#)
[Utility Letters](#)
[Engineering and Planning Letter](#)
[Petition](#)

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

Councilman Street explained this abandonment affects two lots adjoining the property owner's parent's property. Everyone has signed off on it and the utilities will be moved. The property owners would like to get this done as soon as possible to start construction.

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

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

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;Charles Coleman and Todd Burton

Enactment No: O-EN-055-2015

ORD-15:068

AN ORDINANCE ABANDONING AND VACATING A PORTION OF A PUBLIC ALLEY LOCATED IN:

The right-of-way of a 20 foot alley between Lots 49 through 56, inclusively of Northwest Addition to Jonesboro, AR, Craighead County, AR.

Attachments: [Petitions](#)
 [Plat](#)
 [Utility Letters](#)
 [Engineering and Planning Letter](#)

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

Councilman Street asked if the utilities and property owners are okay with the abandonment. City Planner Otis Spriggs answered yes. Councilman Street then questioned if there is an emergency. Berl Smith, representing the applicant, stated there is no emergency.

A motion was made by Councilman John Street, seconded by Councilman Mitch Johnson, to Waive the Second Reading . 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;Charles Coleman and Todd Burton

RESOLUTIONS TO BE INTRODUCED

RES-15:160

RESOLUTION BY THE CITY COUNCIL OF THE CITY OF JONESBORO, ARKANSAS as to condemn property located at 1017 West Jefferson, Owner: John Perry, P&P Investments LLC.

Sponsors: Code Enforcement

Attachments: [County Data 1017](#)
 [1017 Jefferson1](#)
 [1017 Jefferson2](#)
 [1017 Jefferson3](#)
 [1017 Jefferson Inspection Report](#)
 [Checklist](#)
 [1017 Jefferson title2](#)

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

Enactment No: R-EN-153-2015

RES-15:161

RESOLUTION BY THE CITY COUNCIL OF THE CITY OF JONESBORO, ARKANSAS to condemn property at 2713 Carriage Drive, Owner: Jerry and April Cook.

Sponsors: Code Enforcement

- Attachments:** [Inspection Report](#)
 [County Data 2713 Carriage](#)
 [2713 Carriage title search](#)
 [2317 Carriage checklist](#)
 [2713 Carriage 1](#)
 [2713 Carriage 2](#)
 [2713 Carriage 3](#)
 [2713 Carriage 4](#)

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;Charles Coleman and Todd Burton

Enactment No: R-EN-154-2015

RES-15:162

RESOLUTION BY THE CITY COUNCIL OF THE CITY OF JONESBORO, ARKANSAS to condemn property located at 3704 Griffin, owner George and Lavonda Tollison; Lease/Purchase agreement with Shevie Hadl.

Sponsors: Code Enforcement

- Attachments:** [Hadl Inspection](#)
 [Hadl County Data](#)
 [3704 Griffin Title Search](#)
 [3704 Griffin Checklist](#)
 [3704 Griffin 3](#)
 [3704 Griffin 2](#)
 [3704 Griffin 1](#)

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

Enactment No: R-EN-155-2015

7. UNFINISHED BUSINESS

ORDINANCES ON THIRD READING

ORD-15:055

ORDINANCE ADOPTING THE JONESBORO PROPERTY MAINTENANCE CODE BY REFERENCE AMENDING ARTICLE 1, CHAPTER 105, BUILDINGS AND BUILDING REGULATIONS, CREATING SECTION 105-2, JONESBORO PROPERTY MAINTENANCE CODE FOR THE PURPOSE OF PRESERVING PROPERTY, BUILDINGS, AND STRUCTURES FOR THE PRESERVATION OF PUBLIC PEACE, HEALTH AND SAFETY WITHIN THE CITY LIMITS OF JONESBORO, AR

Sponsors: Inspections, Code Enforcement and Planning

Attachments: [Jonesboro Property Maintenance Code \(as amended\)](#)
[Letters of Opposition](#)
[Wilcox Lacy Opposition Letters](#)
[Letters of Support](#)
[Presentation by Teresa Beck from Oct. 27 meeting](#)
[Amendment to Code](#)
[Melissa Baldwin Information](#)
[John Hill Information](#)
[Letter from Fire, Police, Quality of Life, and Inspections Departments](#)
[Explanation of Violation Procedures](#)
[John Hardin Email](#)
[Arwood Email](#)

Florence Jones, 2307 Court, spoke in opposition to the code. She discussed her father, who is in the last stages of cancer. She noted Code Enforcement was at her father's house last week. He's dying and would like to die in his home. She questioned where he father would go if the code passes. She asked the Council to re-think the code.

Susan Carter Riggs also spoke in opposition to the code. She has been a home health and hospice nurse for 31 years. She expressed concern about elderly citizens who have to choose between medication and rent. She stated no matter how humble their home is, it's still their home. She further discussed other patients she has worked with whose homes don't meet code. Ms. Riggs explained she also has a home in Florida that is under the International Building Code. She's had \$1,500 of fines, one for not having her fan remote mounted on the wall, another for having something on the porch two inches too long. She asked the Council to consider everyone when making their decision.

Jonathan Harris, Mamie Cove, spoke in opposition to the code. He is a homeowner and a landlord in Jonesboro. He stated there are some things in the code that are good, but his issue is there isn't enough structure with what is written. The code is put in the hands of an inspector to decide who gets fined and how long they have to get repairs done. He expressed concern with how long it takes to get some repairs done, such as getting a new roof on a home. He thinks the code should have the fines set up in tiers and should be written word for word. He asked the Council to think about the people in the city before doing what they're going to do.

Jason Whitley, 2205 Auburndale Cove, spoke in opposition to the code. He spoke on behalf of the Jonesboro Board of Realtors. He stated real estate is not in a decline in Jonesboro. He said this isn't a crime issue or a property value issue; rather, their membership is for a code, but not this one. He noted 96% of the membership has expressed that opinion. They like the code if the interior is taken out. Mr. Whitley stated he's had Council members tell him this topic is one of the most back and forth topics they've seen in 12 or 13 years, so that should tell them that the citizens are not ready for this code. He urged the Council to not pass the code as it's written. He asked the Council to take more time to come up with a code for Jonesboro that does not include the interior.

Brandon Lacy, an attorney from Wilcox & Lacy representing a number of citizens in Jonesboro, spoke on behalf of his clients against the code. Earlier today he submitted about 460 letters of opposition in addition to the 119 letters of opposition,

with another 120 letters that he has ready to submit for the record. He stated a lot of people have concerns about the code. He asked the Council to take some more time to let everyone's voice be incorporated into what is being done. He also indicated if the code is passed as written tonight, he has been asked to get the question on the ballot in November.

Charles Harris, 2508 Hidden Hills, spoke in favor of the code. He indicated the Jonesboro Board of Realtors did not take a vote concerning the property maintenance code. He read a letter he submitted to the City Council. See attached letter of support.

Ed Salo, 819 Gloucester Drive, spoke in support of the code. He moved here from Florida. He stated cities need help sometimes to make sure buildings are kept up. When outside businesses are looking to relocate to Jonesboro, they look at homes. This code will help make homes more attractive in order to attract more business to Jonesboro. Both the interior and exterior of a building are important. He thinks the code will help protect renters and property owners, as well as help with businesses looking to relocate.

Scott Darwin, 807 Sylvan Hill Drive, also spoke in support of the code. He has observed, over the years, how the lack of zoning laws has allowed neighborhoods go downhill, such as downtown Jonesboro and "Apartment City" located in north Jonesboro. He and his neighbors have maintained constant vigilance to fight apartment complexes. These instances show the need for more zoning laws. He stated the Council has the obligation to pass a property maintenance code for the interior and exterior of all dwellings in Jonesboro. He asked the Council to continue its current course to create a better, safer and healthier community by passing a code that makes an entire home ready for habitation.

George Krennerich, 2904 Covey Drive, spoke in support of the code. He is a retired architect and is on the state board of architects. He explained this needs to be a comprehensive code the way it is and serve all the citizens of Jonesboro. And it needs to protect the health and safety of the citizens. He encouraged the Council to adopt the code and for everyone there to support it.

John White, 1123 Flint, also spoke in favor of the code.

After voting was done, Councilman Street questioned whether a 2/3 vote was needed. City Attorney Carol Duncan answered no.

A motion was made by Councilman Charles Frierson, seconded by Councilman Chris Moore, that this matter be Passed . The motion PASSED with the following vote. Mayor Perrin voted aye to pass the measure.

Aye: 6 - Ann Williams; Charles Frierson; Chris Moore; Tim McCall; Gene Vance and Charles Coleman

Nay: 6 - Darrel Dover; John Street; Mitch Johnson; Chris Gibson; Rennell Woods and Todd Burton

Enactment No: O-EN-056-2015

8. MAYOR'S REPORTS

Mayor Perrin reported on the following items:

Today they met with Angel Correa and Pete Jilek from the Federal Highway Department during the MPO meeting. They toured Jonesboro and showed them

projects they need assistance with. They also expect to have an announcement concerning I-555 on May 11th.

The Salary/Longevity Committee is working on the salary plan to address compression and longevity. He thanked the committee for their work.

They had lunch with civic club presidents this week. They asked for a list of projects for 2016 to see if there's any they can help the city with either by donation or man hours.

Lastly, he wished everyone a Merry Christmas and Happy New Year.

COM-15:077

Jonesboro Airport Commission financial statement for November 30, 2015

Sponsors: Municipal Airport Commission

Attachments: [Financial statement](#)

This item was Filed.

9. CITY COUNCIL REPORTS

Councilman Street thanked the police chief for his report earlier. He also noted the "Back the Blue" program that shows the community's support of the police.

Councilman Dover motioned, seconded by Councilman Moore, to suspend the rules and add ORD-15:069, RES-15:174 and RES-15:175 to the agenda. All voted aye.

ORD-15:069

AN ORDINANCE FOR THE ADOPTION OF A BUDGET FOR THE CITY OF JONESBORO, ARKANSAS, FOR THE TWELVE (12) MONTHS BEGINNING JANUARY 1, 2016, AND ENDING DECEMBER 31, 2016, APPROPRIATING MONEY FOR EACH ITEM OF EXPENDITURE THEREIN PROVIDED FOR, ADOPTION OF THE EMERGENCY CLAUSE FOR THE EFFICIENT OPERATION OF CITY GOVERNMENT, AND FOR THE FINANCIAL CONTINUITY OF 2016, AND FOR OTHER PURPOSES.

Sponsors: Mayor's Office

Attachments: [2016 Budget](#)
[Presentation from Finance Committee meeting on Dec. 15](#)

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

Councilman Moore motioned to suspend the rules and waive the second and third readings. The motion failed for lack of a second.

Councilman Dover noted the Finance Committee recommendation is to hold the ordinance at one reading to give people ample time to review and then pass it at the first meeting in January. He added he's hoping to have the new salary/longevity plan in place by then to add to the budget. Councilman Street stated there was an amendment to add an extra truck to Animal Control's budget.

This ordinance was Held at one reading.

RES-15:174

A RESOLUTION TO ENTER INTO CONTRACT WITH ROY OCKERT FOR COMMUNICATIONS SERVICES FOR THE THE MAYOR'S OFFICE

Sponsors: Mayor's Office

Attachments: [Roy Ockert Contract](#)

Mayor Perrin noted this will be temporary until they can hire someone to replace former Communications Director Fritz Gisler.

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;Charles Coleman and Todd Burton

Enactment No: R-EN-156-2015

RES-15:175

RESOLUTION AUTHORIZING THE CITY OF JONESBORO TO ENTER INTO AGREEMENT WITH SAGELY SOLUTIONS, LLC FOR GRANTS CONSULTING

Sponsors: Mayor's Office

Attachments: [Sagely Jonesboro 2016](#)
[Nov. 17 Sagely Letter](#)

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;Charles Coleman and Todd Burton

Enactment No: R-EN-157-2015

Councilman Burton asked for an update concerning the education process for the roundabout project. He wanted to make sure citizens were educated as to how to use the roundabout to prevent any problems. Mayor Perrin stated he will have to see how far Mr. Gisler got with the process before he left. Councilman Street added due to the weather the project completion date for that project may be pushed back to March. Mayor Perrin noted the City of Conway has already done a roundabout project, so he can contact them for help.

Councilman Moore reminded the Mayor to contact Bill Smith. Mr. Smith spoke at the last Council meeting and questioned why there are no sidewalks on Dan Avenue.

Councilman Coleman thanked Chief Financial Officer Suzanne Allen for her presentation during the Finance Committee meeting concerning the budget. He also thanked Police Chief Elliott for his presentation earlier in the meeting.

10. PUBLIC COMMENTS

Vicki Russell, 314 Main Street, asked about the status of the condemnations at 411 Union and the old ice company on Cate Street. Mayor Perrin explained the property on Union is proceeding with condemnation. Lt. Todd Nelson explained a lawsuit has been filed concerning the old ice company and it is still in litigation. City Attorney

Duncan stated she will look at it because something was filed, but she's not sure they followed up with what they were supposed to do. She added she will give the Council an update at the next meeting.

11. ADJOURNMENT

With no further business, the meeting was adjourned.

_____ **Date:** _____

Harold Perrin, Mayor

Attest:

_____ **Date:** _____

Donna Jackson, City Clerk