



# City of Jonesboro

Municipal Center  
300 S. Church Street  
Jonesboro, AR 72401

## Meeting Minutes City Council

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Tuesday, November 21, 2023

5:30 PM

Municipal Center, 300 S. Church

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### PUBLIC SERVICES COUNCIL COMMITTEE MEETING AT 4:30 P.M.

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

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

#### 2. PLEDGE OF ALLEGIANCE AND INVOCATION

#### 3. ROLL CALL (ELECTRONIC ATTENDANCE) INITIATED AND CONFIRMED BY CITY CLERK APRIL LEGGETT

**Present** 11 - Brian Emison;Chris Moore;Chris Gibson;David McClain;Joe Hafner;Mitch Johnson;Anthony Coleman;Janice Porter;John Street;Charles Coleman and LJ Bryant

**Absent** 1 - Ann Williams

#### 4. SPECIAL PRESENTATIONS

#### 5. CONSENT AGENDA

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

*Councilmember David McClain asked that RES-23:237 be removed from the Consent Agenda.*

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

**Aye:** 11 - Brian Emison;Chris Moore;Chris Gibson;David McClain;Joe Hafner;Mitch Johnson;Anthony Coleman;Janice Porter;John Street;Charles Coleman and LJ Bryant

**Absent:** 1 - Ann Williams

[MIN-23:107](#)

MINUTES FOR THE CITY COUNCIL MEETING ON NOVEMBER 7, 2023

**Attachments:** [CC Minutes 11072023](#)

**This item was passed on the Consent Agenda.**

[RES-23:239](#)

RESOLUTION BY THE CITY COUNCIL OF THE CITY OF JONESBORO, ARKANSAS, TO PLACE A MUNICIPAL LIEN ON PROPERTY LOCATED AT 01-134032-11700 ON GLADYS, JONESBORO, AR 72401, PARCEL 01-134032-11700, OWNED BY JIMMY ODLE IN THE AMOUNT OF \$365

**Attachments:**     [01-134032-11700 on Gladys Affidavit](#)  
                              [01-134032-11700 on Gladys Council Letter](#)  
                              [Gladys](#)

**This item was passed on the Consent Agenda.**

Enactment No: R-EN-253-2023

[RES-23:244](#)

RESOLUTION BY THE CITY COUNCIL OF THE CITY OF JONESBORO, ARKANSAS, TO PLACE A MUNICIPAL LIEN ON PROPERTY LOCATED AT 221 N. DRAKE, JONESBORO, AR 72401, PARCEL 01-144181-62800, OWNED BY PHILLIP PRICE IN THE AMOUNT OF \$275

**Attachments:**     [221 N Drake Affidavit](#)  
                              [221 N Drake Council Letter](#)  
                              [221 & 223 N Drake](#)

**This item was passed on the Consent Agenda.**

Enactment No: R-EN-254-2023

[RES-23:245](#)

RESOLUTION BY THE CITY COUNCIL OF THE CITY OF JONESBORO, ARKANSAS, TO PLACE A MUNICIPAL LIEN ON PROPERTY LOCATED AT 223 N. DRAKE, JONESBORO, AR 72401, PARCEL 01-144181-61600, OWNED BY PHILLIP PRICE IN THE AMOUNT OF \$275

**Attachments:**     [223 N Drake Affidavit](#)  
                              [223 N Drake Council Letter](#)  
                              [221 & 223 N Drake](#)

**This item was passed on the Consent Agenda.**

Enactment No: R-EN-255-2023

[RES-23:246](#)

RESOLUTION BY THE CITY COUNCIL OF THE CITY OF JONESBORO, ARKANSAS, TO PLACE A MUNICIPAL LIEN ON PROPERTY LOCATED AT 304 W. EASY, JONESBORO, AR 72401, PARCEL 01-144072-07000, OWNED BY RONALD RICHARDSON IN THE AMOUNT OF \$165

**Attachments:**     [304 W Easy Affidavit](#)  
                              [304 W Easy Council Letter](#)  
                              [304 W Easy B&S Invoice Letter](#)  
                              [304 W Easy Council Letter](#)  
                              [304 W Easy Inspection Letter](#)  
                              [Request and Invoice](#)

**This item was passed on the Consent Agenda.**

Enactment No: R-EN-256-2023

[RES-23:248](#)

RESOLUTION BY THE CITY COUNCIL OF THE CITY OF JONESBORO, ARKANSAS, TO PLACE A MUNICIPAL LIEN ON PROPERTY LOCATED AT 412 N. BRIDGE, JONESBORO, AR 72401, PARCEL 01-144181-08800, OWNED BY DOWNSTREAM INVESTMENTS, LLC IN THE AMOUNT OF \$275

**Attachments:**     [412 N Bridge Affidavit](#)  
                              [412 N Bridge Council Letter](#)  
                              [412 N Bridge](#)

**This item was passed on the Consent Agenda.**

Enactment No: R-EN-257-2023

[RES-23:249](#)

RESOLUTION BY THE CITY COUNCIL OF THE CITY OF JONESBORO, ARKANSAS, TO PLACE A MUNICIPAL LIEN ON PROPERTY LOCATED AT 414 N. BRIDGE, JONESBORO, AR 72401, PARCEL 01-144181-08500, OWNED BY DOWNSTREAM INVESTMENTS, LLC IN THE AMOUNT OF \$275

**Attachments:**     [414 N Bridge Affidavit](#)  
                              [414 N Bridge Council Letter](#)  
                              [414 N Bridge](#)

**This item was passed on the Consent Agenda.**

Enactment No: R-EN-258-2023

[RES-23:250](#)

RESOLUTION BY THE CITY COUNCIL OF THE CITY OF JONESBORO, ARKANSAS, TO PLACE A MUNICIPAL LIEN ON PROPERTY LOCATED AT 602 S. FLINT, JONESBORO, AR 72401, PARCEL 01-144183-30200, OWNED BY D & G RENTALS, LLC IN THE AMOUNT OF \$275

**Attachments:**     [602 S Flint Affidavit](#)  
                              [602 S Flint Council Letter](#)  
                              [602 S Flint](#)

**This item was passed on the Consent Agenda.**

Enactment No: R-EN-259-2023

[RES-23:251](#)

RESOLUTION BY THE CITY COUNCIL OF THE CITY OF JONESBORO, ARKANSAS, TO PLACE A MUNICIPAL LIEN ON PROPERTY LOCATED AT 808 WARREN, JONESBORO, AR 72401, PARCEL 01-144074-12300, OWNED BY FAITH SOULS OUTREACH MINISTRIES INC. IN THE AMOUNT OF \$275

**Attachments:**     [808 Warren Affidavit](#)  
                              [808 Warren Council Letter](#)  
                              [808 Warren](#)

**This item was passed on the Consent Agenda.**

Enactment No: R-EN-260-2023

[RES-23:252](#)

RESOLUTION BY THE CITY COUNCIL OF THE CITY OF JONESBORO, ARKANSAS, TO PLACE A MUNICIPAL LIEN ON PROPERTY LOCATED AT 815 WITT ST., JONESBORO, AR 72401, PARCEL 01-144192-36600, OWNED BY JAMES III & WOODROW WALKER IN THE AMOUNT OF \$315

**Attachments:**     [815 Witt Affidavit](#)  
                              [815 Witt Council Letter](#)  
                              [815 Witt](#)

**This item was passed on the Consent Agenda.**

Enactment No: R-EN-261-2023

[RES-23:253](#)

RESOLUTION BY THE CITY COUNCIL OF THE CITY OF JONESBORO, ARKANSAS, TO PLACE A MUNICIPAL LIEN ON PROPERTY LOCATED AT 816 HOOVER, JONESBORO, AR 72401, PARCEL 01-144181-14800, OWNED BY ROBERT WHITAKER IN THE AMOUNT OF \$275

**Attachments:**     [816 Hoover Affidavit](#)  
                              [816 Hoover Council Letter](#)  
                              [816 Hoover](#)

**This item was passed on the Consent Agenda.**

Enactment No: R-EN-262-2023

[RES-23:255](#)

RESOLUTION BY THE CITY COUNCIL OF THE CITY OF JONESBORO, ARKANSAS, TO PLACE A MUNICIPAL LIEN ON PROPERTY LOCATED AT 1104 PRATT CIRCLE, JONESBORO, AR 72401, PARCEL 01-144082-12300, OWNED BY CLAUDE MCDANIEL IN THE AMOUNT OF \$275

**Attachments:**     [1104 Pratt Cir Affidavit](#)  
                              [1104 Pratt Cir Council Letter](#)  
                              [1104 Pratt Cir](#)

**This item was passed on the Consent Agenda.**

Enactment No: R-EN-263-2023

[RES-23:257](#)

RESOLUTION BY THE CITY COUNCIL OF THE CITY OF JONESBORO, ARKANSAS, TO PLACE A MUNICIPAL LIEN ON PROPERTY LOCATED AT 1222 E. WASHINGTON, JONESBORO, AR 72401, PARCEL 01-144173-12200, OWNED BY JASON E. & STEPHANIE MARSHALL IN THE AMOUNT OF \$315

**Attachments:**     [1222 E Washington Affidavit](#)  
                              [1222 E Washington Council Letter](#)  
                              [1222 E Washington](#)

**This item was passed on the Consent Agenda.**

Enactment No: R-EN-264-2023

[RES-23:258](#)

RESOLUTION BY THE CITY COUNCIL OF THE CITY OF JONESBORO, ARKANSAS, TO PLACE A MUNICIPAL LIEN ON PROPERTY LOCATED AT 1328 HUNTINGTON, JONESBORO, AR 72401, PARCEL 01-143133-18100, OWNED BY DKI, LLC IN THE

AMOUNT OF \$275

**Attachments:**     [1328 Huntington Affidavit](#)  
                              [1328 Huntington Council Letter](#)  
                              [1328 Huntington](#)

**This item was passed on the Consent Agenda.**

Enactment No: R-EN-265-2023

[RES-23:259](#)

RESOLUTION BY THE CITY COUNCIL OF THE CITY OF JONESBORO, ARKANSAS, TO PLACE A MUNICIPAL LIEN ON PROPERTY LOCATED AT 1506 GARLAND, JONESBORO, AR 72401, PARCEL 01-144204-12500, OWNED BY BILLY F. SPENCE IN THE AMOUNT OF \$315

**Attachments:**     [1506 Garland Affidavit](#)  
                              [1506 Garland Council Letter](#)  
                              [1506 Garland](#)

**This item was passed on the Consent Agenda.**

Enactment No: R-EN-266-2023

[RES-23:260](#)

RESOLUTION BY THE CITY COUNCIL OF THE CITY OF JONESBORO, ARKANSAS, TO PLACE A MUNICIPAL LIEN ON PROPERTY LOCATED AT 3707 CATALINA CV., JONESBORO, AR 72405, PARCEL 01-144152-01000, OWNED BY DENE BARNETT IN THE AMOUNT OF \$315

**Attachments:**     [3707 Catalina Cv Affidavit](#)  
                              [3707 Catalina Cv Council Letter](#)  
                              [3707 Catalina Cv](#)

**This item was passed on the Consent Agenda.**

Enactment No: R-EN-267-2023

[RES-23:262](#)

RESOLUTION BY THE CITY COUNCIL OF THE CITY OF JONESBORO, ARKANSAS, TO PLACE A MUNICIPAL LIEN ON PROPERTY LOCATED AT 4407 STONEBROOK, JONESBORO, AR 72404, PARCEL 01-134042-08500 , OWNED BY ELIZA M. STONE IN THE AMOUNT OF \$295

**Attachments:**     [4407 Stonebrook Affidavit](#)  
                              [4407 Stonebrook Council Letter](#)  
                              [4407 Stonebrook](#)

**This item was passed on the Consent Agenda.**

Enactment No: R-EN-268-2023

[RES-23:264](#)

A RESOLUTION BY THE CITY OF JONESBORO, ARKANSAS TO ACCEPT THE LOW BID AND ENTER INTO A CONTRACT WITH SHELBY RAILROAD SERVICE, INC. FOR THE INDUSTRIAL RAIL LEAD MAINTENANCE CONTRACT - JOB NO. 2023:26

**Attachments:**     [Bid Tab](#)  
                              [Contract Documents 2023](#)

**This item was passed on the Consent Agenda.**

Enactment No: R-EN-269-2023

**RESOLUTIONS REMOVED FROM THE CONSENT AGENDA**

**[RES-23:237](#)**

RESOLUTION BY THE CITY COUNCIL OF THE CITY OF JONESBORO, ARKANSAS, FOR THE CITY OF JONESBORO TO ENTER INTO AN AGREEMENT WITH THE NORTHEAST ARKANSAS INDUSTRIAL DEVELOPMENT COMMISSION (NEAIDC) FOR FUNDING OF ECONOMIC DEVELOPMENT SERVICES

**Attachments:**     [Contract City-NEAIDC 2023-24](#)  
                              [NEAIDC](#)  
                              [NAIDC Report 1st Quarter 2023](#)  
                              [NAIDC Report 2nd Quarter 2023](#)  
                              [NAIDC Report 3rd Quarter 2023](#)  
                              [NAIDC Minutes](#)

*Councilmember David McClain said, the only thing I wanted to say was that I know that this money is supposed to be utilized in terms of land acquisition. I want to make sure and even maybe we need to look at going forward, have some future discussion about if the money is going to be used for that, great, let's use it for that or maybe we look at changing what our ordinance says in terms of how the money can be spread if it is going to the Chamber for, I know it says economic development, but maybe we need to have a discussion as far as making sure we're still using the money, what it was intended for. And, I know we are. I'm not saying that is not happening, but making sure that either we change what we have in our ordinance because in our ordinance, it says the minimum we give them is \$90,000. So, either (a) we change that to where they get all of it or we do something different. That is I think the main thing. I have no problem giving the Chamber the money, but I also want to make sure going forward maybe we look at either we give, we bump up what our minimum is and we also maybe encourage for them to help in terms of small business. Small business is the backbone of our country and our community. So, I understand industrial, but I also understand that we should look at how we help small businesses in our community as well. Mayor Harold Copenhaver said, on your point, I can assure you that Director Young and myself are in constant contact about that. And, the Industrial Development Commission obviously with the Chamber, they have multi-levels of different organizations within that organization. Councilmember McClain says, right. Mayor Copenhaver continues, and, so this one is for the Industrial Partners, but I know that Mr. Young has been very responsive to any of our requests and I think that open door conversation, we will continue to do that, but more importantly, with what you have just said, that we will continue to give you more adequate updates with what is going on in the industrial development part of our community with the progress that is being made and so that way we keep us more engaged. Councilmember McClain said, okay.*

**A motion was made by Councilperson John Street, seconded by Councilperson Mitch Johnson, that this matter be Passed. The motion PASSED with the following vote.**

**Aye:** 11 - Brian Emison;Chris Moore;Chris Gibson;David McClain;Joe Hafner;Mitch Johnson;Anthony Coleman;Janice Porter;John Street;Charles Coleman and LJ Bryant

**Absent:** 1 - Ann Williams

Enactment No: R-EN-270-2023

[RES-23:241](#)

RESOLUTION BY THE CITY COUNCIL OF THE CITY OF JONESBORO, ARKANSAS TO CONDEMN PROPERTY LOCATED AT: 310 Miller St. Jonesboro, AR 72401; Parcel # 01-144181-34000; OWNER: M & M Global Enterprises, LLC; LEGAL DESCRIPTION: The North 10 feet of the West 94 feet of Lot 4 and the South 46 feet of the West 94 feet of Lot 5 in Block 15 of Meyers Addition to the City of Jonesboro, Arkansas.

**Attachments:**

[310 Miller Inspection Report](#)

[310 Miller Condemnation Resolution](#)

[310 Miller Map](#)

[310 Miller Precondemn Notice Returned Signature Card](#)

[310 Miller Precondemnation Notice Affidavit](#)

[WIN 20230804 09 42 46 Pro](#)

[WIN 20230804 09 42 59 Pro](#)

[WIN 20230804 09 43 08 Pro](#)

[WIN 20230804 09 43 19 Pro](#)

[WIN 20230804 09 43 21 Pro](#)

[WIN 20230804 09 43 37 Pro](#)

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

**Aye:** 11 - Brian Emison;Chris Moore;Chris Gibson;David McClain;Joe Hafner;Mitch Johnson;Anthony Coleman;Janice Porter;John Street;Charles Coleman and LJ Bryant

**Absent:** 1 - Ann Williams

Enactment No: R-EN-271-2023

[RES-23:242](#)

RESOLUTION BY THE CITY COUNCIL OF THE CITY OF JONESBORO, ARKANSAS TO CONDEMN PROPERTY LOCATED AT: 616 E Oak Ave. Jonesboro, AR 72401; Parcel # 01-144191-17500; OWNER: Randal Ballew and Brett Ballew, an undivided one-third (1/3) interest, Joyce Gurdian, an undivided one-third (1/3) interest, and Joann Brewer, an undivided one-third (1/3) interest, subject to the life estate of Joyce Scarborough; LEGAL DESCRIPTION: The East 35 feet of Lot 13 in Block 2 of Gregg & Houghton's Subdivision of Kitchen's Place Addition to the City of Jonesboro, Arkansas AND the West 15 feet of Lot 13 in Block 2 of Gregg & Houghton's Subdivision of Kitchen's Place Addition to the City of Jonesboro, Arkansas.

**Attachments:**    [616 E Oak Board & Secure Affidavit](#)  
                              [616 E Oak Board and Secure Returned Signature Card](#)  
                              [616 E Oak Condemnation Resolution](#)  
                              [616 E Oak Inspection Report](#)  
                              [616 E Oak Pre Condem Notice Returned Cert Letter](#)  
                              [616 E Oak Precondemnation Notice Affidavit-J Gurdian](#)  
                              [616 E Oak Precondemnation Notice Affidavit-R Ballew](#)  
                              [616 E Oak Precondemn Notice Returned Signature Card- J Gurdian](#)  
                              [616 E Oak Precondemn Notice Returned Signature Card- R Ballew](#)  
                              [616 E Oak Precondemnation Notice Affidavit- Scarbourogh](#)  
                              [616 E Oak Precondemnation Notice Affidavit-J Brewer](#)  
                              [16051121-IMG\\_0439](#)  
                              [16051124-IMG\\_0442](#)  
                              [16051156-IMG\\_0470](#)  
                              [16051160-IMG\\_0474](#)  
                              [16051166-IMG\\_0479](#)  
                              [16051173-IMG\\_0486](#)  
                              [16051178-IMG\\_0490](#)

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

**Aye:** 11 - Brian Emison;Chris Moore;Chris Gibson;David McClain;Joe Hafner;Mitch Johnson;Anthony Coleman;Janice Porter;John Street;Charles Coleman and LJ Bryant

**Absent:** 1 - Ann Williams

Enactment No: R-EN-272-2023

## **6. NEW BUSINESS**

### *ORDINANCES ON FIRST READING*

[ORD-23:040](#)

AN ORDINANCE TO AMEND CHAPTER 117, KNOWN AS THE ZONING ORDINANCE PROVIDING FOR CHANGES IN ZONING BOUNDARIES FROM R-1 TO C-3 FOR PROPERTY LOCATED AT 3007 COLONY DRIVE AS REQUESTED BY BRANDON WOOD

**Attachments:**    [Application](#)  
                              [Deed-Bk597Pg192](#)  
                              [Deed-Bk627Pg31](#)  
                              [Mail Reciepts](#)  
                              [NotificationMap](#)  
                              [Owner Notification List](#)  
                              [Rezoning Plat](#)  
                              [Sign Picture](#)  
                              [Staff Summary - Colony - CC](#)  
                              [Publication Fee Receipt](#)



*Councilmember John Street motioned, seconded by Councilmember Mitch Johnson, to suspend the rules and offer ORD-23:040 by title only. All voted aye.*

**Held at one reading**

[ORD-23:041](#)

AN ORDINANCE TO AMEND CHAPTER 117, KNOWN AS THE ZONING ORDINANCE PROVIDING FOR CHANGES IN ZONING BOUNDARIES FROM RS-7 & C-4 TO C-3 LUO & C-4 FOR PROPERTY LOCATED AT 3703 S. CULBERHOUSE STREET AS REQUESTED BY JEREMY BEVILL ON BEHALF OF MICHAEL DANIELS

**Attachments:**    [Rezoning Application](#)  
[15 LOT ZONING-EXISTING](#)  
[15 LOT ZONING-EXISTING EXTENDED](#)  
[15 LOT ZONING-PROPOSED](#)  
[15 LOT ZONING-PROPOSED EXTENDED](#)  
[23901300 RZ 2 PLAT](#)  
[Certified Mail](#)  
[Deed](#)  
[Exhibit A](#)  
[Sign Photos \(2\)](#)  
[Updated Plat C-4 C-3 LUO](#)  
[Staff Summary - Culberhouse - CC](#)  
[Publication Fee Receipt](#)  
[23901300 RZFINAL](#)  
[C-3 C-4](#)

*Councilmember John Street motioned, seconded by Councilmember Mitch Johnson, to suspend the rules and offer ORD-23:041 by title only. All voted aye.*

*Michael Daniels, 2013 Timber Trails, said, I represent Chris Futrell, Futrell Construction this evening. I am with Crafton Tull and Associates. What we have got up on the screen is an exhibit of what we are here proposing tonight. This 17-acre tract is currently a mixture of RS-7 and C-4. Tonight, we are proposing to rezone this property to C-3, Limited Use Overlay and C-4, Limited Use Overlay. The Limited Use Overlay that we are proposing tonight consists of 20 specific uses that are restricted for these tracts. The Limited Use is applied to both C-3 and C-4 tracts equally. The pink shaded area on the exhibit ahead of you is the C-4 tracts and the blue shaded properties are the C-3 tracts. A few key points about this rezoning, the Metropolitan Area Planning Commission recently voted 5-0 to recommend this proposed rezoning. Buildings on the C-4 tracts will be required to be of a residential character regarding their outward appearance and we are confident that this request is consistent with the City of Jonesboro's Comprehensive Land Use Plan. If you all have any questions, I will be happy to answer.*

*Dr. Wendy Spanos, 304 Dunwoody, said, I own the church property at 3701 Culberhouse and I oppose and I have plenty of people here with me tonight, not as many because it is the Thanksgiving holiday. But, I want to make my point clear that we do oppose this and I thank you very much. Mayor Copenhaver said, thank you Ms. Spanos. Councilmember Mitch Johnson asked, Ms. Spanos, before you step away, could I ask? Do you oppose the development as a whole, Ms. Spanos, or are you just against the C-3 zoning? Dr. Spanos said, I am against the C-3 zoning. I am not against the C-4. Councilmember Johnson said, okay, thank you. (Someone from the*

audience who did not approach the podium said, I would like to say that I agree with her. ((NOTE: There is a comment that is inaudible, this does happen when the speaker does not approach the podium and speak at the microphone.))

Councilmember Johnson said, before we stray too far from this, I apologize. I just wanted someone else to speak. I have had some reservations about this rezoning, as you know, I expressed it to your office. I was a little taken back at the Planning Commission when I watched the meetings from the Planning Commission, that the minutes from it, that they were under the impression that if there wasn't enough opposition here, then maybe that nobody showed up in person to oppose it, and I guess that a point needs to be made clear. We get hundreds of emails about things and they might not necessarily step up here in opposition, but we get them in the mail and emails and such as that. And, I have struggled with this because it is in a ward that I represent. And, I don't want to stray too far because I have property that adjoins it as well. I was happy that the developer did come back with his revised plan and move some more of it to C-4. I listened to the Planning Commission from 10/24/2023. Mr. Carroll Caldwell made the comments that when this development was done, you could compare it to Windover. So, I am not opposed to the development at all. But, I think we need to be careful that if this is the kind of model that the end result is going to be, is there enough stuff taken out of the possibilities of putting things in? Maybe we need take some more uses out of this. I don't have a complete limited use for C-3, what can be there and what can't as opposed to what is listed up here that is going to be taken out. So, I would like to ask before the next council meeting, if Planning Director Derrel Smith would email us a list of everything that can be put in C-4 and C-3 to where we can compare it to what they are taking out currently. As I drive down Windover, I see nothing that is 24-hour operable. It is all closed. It is a lot of businesses. So, my big concern for the neighborhood and the area around there is that we don't have 24-hour a day services right there. This is technically not spot zoning anymore because Mr. Caldwell's development is to the west of it. However, we are taking an overlay and putting it into a 3 surrounded residential area. So, I would just like to see us be careful and maybe we have to look at a few more restrictions on uses for the C-3. That is just my opinion. Mayor Copenhaver said, thank you for your comments. We will get you that information. Thank you.

**Held at one reading**

[ORD-23:042](#)

AN ORDINANCE FOR THE APPROVAL OF AN APPLICATION FOR A PRIVATE CLUB PERMIT FOR DREAM ALIVE ASSOCIATION.

**Attachments:**     [Private Club Application Redacted](#)  
                              [Baker Firm Letter](#)  
                              [Application Fee Reciept](#)  
                              [Publication Fee Receipt](#)

Councilmember John Street motioned, seconded by Councilmember Mitch Johnson, to suspend the rules and offer ORD-23:042 by title only. All voted aye.

**Held at one reading**

[ORD-23:044](#)

AN ORDINANCE TO AMEND CHAPTER 117, KNOWN AS THE ZONING ORDINANCE PROVIDING FOR CHANGES IN ZONING BOUNDARIES FROM C-4 LUO TO C-3 LUO FOR PROPERTY LOCATED AT 604 E. HIGHLAND DRIVE AS REQUESTED BY HORIZON LAND SURVEYING, LLC

**Attachments:**    [Rezoning application](#)  
                          [Rezoning Questionnaire](#)  
                          [Rezoning Signs](#)  
                          [Staff Summary - Highland - CC](#)  
                          [Mail Receipt](#)  
                          [Plat](#)  
                          [Publication Fee Receipt](#)

*Councilmember John Street motioned, seconded by Councilmember Mitch Johnson, to suspend the rules and offer ORD-23:044 by title only. All voted aye.*

**Held at one reading**

## **7. UNFINISHED BUSINESS**

### *ORDINANCES ON SECOND READING*

[ORD-23:039](#)      AN ORDINANCE TO WAIVE COMPETITIVE BIDDING AND AUTHORIZE THE MAYOR TO ENTER INTO AN AGREEMENT WITH RITTER COMMUNICATIONS TO PROVIDE FIBER CONNECTIVITY AND CLOUD SERVICES FOR THE CITY OF JONESBORO

**Attachments:**    [Quote City of Jonesboro Services Renewal 10 24 23](#)

**Held at second reading**

### *ORDINANCES ON THIRD READING*

[ORD-23:037](#)      AN ORDINANCE TO AMEND CHAPTER 117, KNOWN AS THE ZONING ORDINANCE PROVIDING FOR CHANGES IN ZONING BOUNDARIES FROM R-1 TO I-1 FOR PROPERTY LOCATED AT 3315 WILLOW ROAD AS REQUESTED BY TED DICKEY

**Attachments:**    [Application](#)  
                          [Rezoning Plat](#)  
                          [Certified Mail Receipts](#)  
                          [Publication Fee](#)  
                          [Staff Summary - C.C.](#)

**A motion was made by Councilperson Chris Moore, seconded by Councilperson Brian Emison, that this matter be Passed. The motion PASSED with the following vote.**

**Aye:** 11 - Brian Emison;Chris Moore;Chris Gibson;David McClain;Joe Hafner;Mitch Johnson;Anthony Coleman;Janice Porter;John Street;Charles Coleman and LJ Bryant

**Absent:** 1 - Ann Williams

Enactment No: O-EN-038-2023

[ORD-23:038](#)      AN ORDINANCE TO AMEND CHAPTER 117, KNOWN AS THE ZONING ORDINANCE PROVIDING FOR CHANGES IN ZONING BOUNDARIES FROM R-2 TO RM-12 FOR PROPERTY LOCATED AT 5601 PACIFIC ROAD AS REQUESTED BY SOUTHARD CONSTRUCTION, LLC

**Attachments:**    [Application](#)  
                              [R-2 SITE PLAN](#)  
                              [RM-12 SITE PLAN](#)  
                              [Rezoning Plat](#)  
                              [Property Owner Notification](#)  
                              [Certified Mail Receipts](#)  
                              [Sign Photos](#)  
                              [Staff Summary - C.C.](#)  
                              [Publication Receipt](#)

*Garrett Dunham, 3121 Galloway Court, said, good evening. I just wanted to make sure that everything was clear. I had a question after the last meeting about the reason for the rezone. It is currently zoned R-2, so it is a low-density, multi-family zoning. The reason for the rezone to RM-12 is simply to allow multiple buildings on one lot. And, once that is approved, it allows the developer to build multiple buildings on one lot and it gives us more space so that the final product is actually single-level. It allows us to do single-level houses so we are not confined and restricted by having to subdivide it and build a city street. We are going to do single-level. That was more conducive for the neighborhood on that street. So, there was conversation about single-level at the last meeting. I just wanted to make sure that that was kind of the reason for the rezone. It is not that there is a rezoning restriction for the single-level, however, that is just what the developer has desired to do and that is what has been communicated to the property owners that that is what will take place. So, if it is rezoned to RM-12, it allows us to build apartment buildings, more than one building on one lot and it gives us the space to do single-level apartment buildings instead of being confined to subdividing it and them being two-story. Thank you. Mayor Copenhagen said, thank you Mr. Dunnam. I appreciate you working with the surrounding area and neighborhood and listening to their concerns and you all coming together on that. I appreciate that.*

*Penny Newton, 5701 Pacific, said, and that is just what I wanted to reinstate is that the builder and I have met and they are keeping one-story. We feel like that is best for the neighborhood. They are going to try to put in a little play area or something for the kids also. I am here to just ask you to go ahead and vote for it. I mean, we have no choice on apartments. They are going to be out there. It is zoned for that anyway. We are just trying to get the best for our neighborhood that we can get. So, thank you. Mayor Copenhagen said, thank you. It is all about communication. I appreciate you very much.*

**A motion was made by Councilperson Chris Gibson, seconded by Councilperson Brian Emison, that this matter be Passed. The motion PASSED with the following vote.**

**Aye:** 11 - Brian Emison;Chris Moore;Chris Gibson;David McClain;Joe Hafner;Mitch Johnson;Anthony Coleman;Janice Porter;John Street;Charles Coleman and LJ Bryant

**Absent:** 1 - Ann Williams

Enactment No: O-EN-039-2023

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

*Mayor Harold Copenhagen reported on the following:*

So, Council, I am going to give you an update here real quick and this is a huge positive for our community. We received today, is that correct Steve? Yeah, we received the information today an A rating from S&P Global Ratings which provides us the ability then to anchor in the best rate possible for a revenue bond, moving forward, hopefully, in December. But, what this means is Jonesboro is anchoring its metropolitan as a statistical area. It means we have strong financial performance and robust reserves as well as low debt and liability profile. This means that we have robust home development, we have new entrance into the market and favorable population growth. Hopefully, this will remain stable with the strong population and economic growth as mentioned here. Economic fundamentals are strong based on city regional importance in Northeast Arkansas. And, again, I am just reading highlights of the S&P requirements. It means a growing economy. We have a role as regional population. We are a service HUB. We anchor the metropolitan statistical area in Northeast Arkansas. Robust reserves, 60% of operations, \$33 million as of fiscal year 2022, historically strong financial performance resulting in annual operating surpluses after transferring amounts to the capital funding of \$5.6 million in 2022 and nearly \$6.7 million in fiscal year 2021 and that has allowed us with the balanced budget to be able to do that. Management commitment to pay-as-you-go capital funding, well-funded retirement plans and strong institutional framework. Thus, we received an A rating. And, folks, during these times in the United States, that speaks very highly of what our community is about and what we are doing as a city.

Also, Council, the proposed budget for 2024 draft will be available tomorrow. Steve, if you would like to come forward and kind of give them a few quick updates on that. And, what you will see in that draft, so as we have done in the past, it will be available for you in any format and then Steve will be able to provide you with any other information. Finance Director Steve Purtee said, thank you Mayor. Again, Council, we will have that document ready for you tomorrow. As a matter of housekeeping, we will approach this the same way we did last year. We will make those binders available to you. They will be accessible through this building here. I think you all have codes to get in and out. And, we will provide you further information on that tomorrow. The budget, as you well know, there has been quite a bit of work in the background relative to that in identifying the capital improvement plan and those various components of that, that are functions and factors of the budget, either from a reserve appropriation or from a rescue plan fund spending, as well as, budget appropriations anticipated for the next three budget cycles. So, the first draft of this will kind of be in a summary format relative to that, trying to identify those on the summary page. So, when you have that available to you tomorrow, take a look through that. We will give you contact information as well if you would like to discuss that over the weekend, over the holiday period, we will be available to do that. The other thing that we will have available is electronic media. We will have a flash drive for you as well, if that is your preference. We will also be able to email that document as well. So, we will have more information on that mid-day tomorrow. Mayor Copenhaver said, and we are planning work sessions as we have done in the past as well. So, again, your continued input is very relevant in our budget. Mr. Purtee said, yes sir. Mayor Copenhaver said, thank you Steve. Mr. Purtee said, thank you.

So, it's that time of year. A lot is coming up. City offices will be closed Thursday and Friday in observance of Thanksgiving. Our JET bus system, though, will resume Saturday and Sanitation picks up where they left off on Monday. Check the city Facebook pages for updates, but remember the winter weather and holiday credo, "when in doubt, set it out."

The Foundation of Arts took over the Christmas Parade last year and did a fabulous

*job so they are going to do it again this year on December 1, 2023 which is just a week from Friday.*

*There is a neighborhood cleanup scheduled for Saturday, December 2, 2023 from 8:00 a.m. until noon at Nettleton High School's North Parking lot near the football stadium. Now, this will be obviously our last pickup for the year. That is correct, right? Okay. And, so, we targeted this area in particular because we have seen the uptick in that area of providing the resources there for cleanup, correct? (Off camera, you can hear someone speak in the audience. Since they did not come to the mic, it is hard to hear. This individual says, it's the one area of town that we haven't really been too. So, we tried to map out and make sure we cover the whole city. So, that is our goal.) Okay, is our goal, good deal, alright. Thank you very much. So our Sanitation and Code Enforcement teams will be able to be there for you and they will do that free of charge.*

*We celebrated Veteran's Day this past week. We had a wonderful parade. I think there were over 70 participants. I was truly honored to provide a medallion of the city to the Colonel that was honored that fought in the Veteran Korean War, and, it was quite a medal recipient. But, what he talked about were the other people. He didn't talk about himself. And, he actually has a book and he was the actual individual that the GI Joe was modeled after. So, he was the GI Joe. But, anyway, saying all of that, Nettleton High School obviously put on another wonderful presentation for the veteran's. And, we really need to continue to support what our local school districts are doing as we continue to grow because what we saw were no more World War II veterans alive at our parade. And, so, as that, we are aging out in a lot of our veterans.*

*More than 50 vendors showed up for the Project CARE Transitional Job Fair at Nettleton Baptist Church. Folks, this is a great opportunity for special needs high school students and for employers with entry level jobs and continuing education opportunities. I really respect what these young people do and I can't think the volunteers who work with them enough. There were over 400 students that attended the event and this provides them the opportunity with our local vendors and regional vendors for job opportunities. Many of them were hired on the spot. This is what it is all about. This is what our community is about.*

*The following Saturday is Downtown Jonesboro Association JoyFest. It will start at 3:00 p.m. at Union Park and this has really grown to a wonderful event for our downtown community.*

*Tomorrow, we will announce a Public Information Session for 4:30 p.m.-6:30 p.m. Monday, this coming Monday, to talk about the proposed Capital Improvement Projects. This will be before a Tuesday Finance meeting which we will discuss as well. I want to be open and transparent about these projects and I think that it is very important for the community, if they have questions to come. Our staff will be available and we will be happy to answer any of your project questions, Council included. Please feel free to come. This is a \$40 million plus ask and request over the next three years plus. And, again, we are asking the public to come and ask your questions so you can be well informed about this.*

*Also, this is Thanksgiving. As we approach, it is about giving in the community. I am proud of Jonesboro and the people that come together in the City of Jonesboro to provide for many who don't have that opportunity. Also, it is the time of year when others won't be with us. That family members won't have. And, keep many people in your prayers as we go through the holidays.*

**9. CITY COUNCIL REPORTS**

*Councilmember Chris Gibson said, just one question. Brian do we have an update on that Winged Foot issue that we have been emailing back and forth on because I have kind of dropped the ball on that the last week. Chief Administrative Officer Brian Richardson said, sure. I have talked with Engineering Director Craig Light about that. Of course, we have discussed additionally, as far as, the legitimacy of a stop sign there and safety issues that it may propose. I have also talked with Police Chief Rick Elliott about increasing some patrols out there to see if that helps lower some of the speed data and we were going to try to find somewhere to put some radar counters out there to see what those real statistics are because often times, a car going 30 mph seems like it is going really fast while you are sitting there watching it. But, we are planning some additional patrols out there to help insure that people aren't driving in an unsafe speed through there and if they are, maybe they are reminded to slow down a little bit. Councilmember Gibson said, again, I know that homeowner that has been very consistent on this issue and has volunteered his driveway and property for the radar control. Mr. Richardson said, yes, and as part of that public Traffic Safety Control Commission, of course, they did place a stop sign there coming out of the cove, but, again, after review, I think they had some safety concerns with that as well. My recommendation would be let's do some patrols out there and see if that turns up with anything and then after that we can address possible next steps as well as the community and the neighborhood out there would like to do so. Thank you.*

*Councilmember David McClain said, I was going to ask Carol if she would go ahead and start working on a resolution for us to start looking at Impact Fees, but then, also get, start a committee that will help us in regards to selecting companies to come in and help us study that, but also make a determination on what that would look like going forward. Mayor Copenhagen said, noted.*

*Councilmember Joe Hafner said, I have a couple of things. Mayor, about a year ago the city made an announcement about Ritter Communications with an internet and tv project. I haven't heard any updates on that. I don't know if there are any updates, but it said it would probably be completed in about three years or so, and that is two years from now. I just didn't know if you had an update on where that project stands right now. Mayor Copenhagen said, as a matter of fact, Brian come up here and help me out to just to give if we can get the actual numbers, but the actual cost from what we anticipated was not as much as the original anticipation costs. So, the good thing about that is that they are able to access more areas and their build out has gone a lot faster than anticipated. So, they are coming to a close of that. Now, the original anticipation was that we were going to be looking at asking the state for an additional \$15 million in that partnership. That number has been narrowed down to about, with grants and other opportunities, about \$3.7 million that we are looking for the remaining 100% of the build out. So, it has gone much better than anticipated. Anything else on that Brian? CAO Brian Richardson said, I mean that is, I couldn't have said it better myself. Mayor Copenhagen said, okay. Councilmember Hafner said, I appreciate that. I just thought about that walking in here tonight and I looked at the article and it was a year ago and I was like well I just thought we needed an update on it. The other thing I had a question about, this relates to the revenue bonds. As you mentioned, this is going to be on Finance for the first time, I guess next Tuesday. I mean, I haven't seen the agenda. It will come out tomorrow. But, kind of explain the process to me because Paul Phillips with Crews & Associates mentioned at the Public Hearing that we will be selling the bonds on Monday, December 4, 2023 and then on Tuesday, December 5, 2023. I guess my question is, how can the bonds be sold until we do an ordinance or*

resolution authorizing the bonds to be sold? I know that he mentioned that they would come back to the Council on the 5th with all of the terms and everything, but kind of explain how that can be done. I don't know if that is a Carol question or a you question? Mayor Copenhagen said, we will get that from Paul. And, so, Paul is not on the line is he Steve? We didn't have him? Not tonight. Okay. We will get that answer for you tomorrow. I will get that out to Council and the public and again, we want to be as transparent about that as possible. Councilmember Hafner said, I am sure in Finance and when the revenue comes in front of, you know, assuming it gets forwarded to Council, there will be a lot of questions about the project list. I know some discussions have already been had, but I just don't want us to put the cart before the horse. Mayor Copenhagen said, absolutely. Well, and in this process as well, I will tell Council all the work that Mr. Purtee and his entire Financial Department has done in this because in the budget, they have basically done an amazing job to include everything that was in there and we are pretty spot on. So, Steve has done a great job. So, again, as you look through the budget, keep that in mind that, that includes these capital improvement projects. Councilmember Hafner said, okay. Mayor Copenhagen said, we will get that, you bet. Councilmember Hafner said, thank you.

Councilmember LJ Bryant said, I will just say and I know I see folks in the audience. There were hundreds of messages this week on social media. I think that we are reminded that it is a sin to kill a mockingbird and I will have future comments about how to protect city employees in the future.

Councilmember John Street said, I would just echo what the Mayor said, and wish everybody a Happy Thanksgiving and also I would like to add that Valley View High School had a very good Veteran's program. It was well attended on Veteran's Day. The schools do a great job and veteran's all appreciate it. Mayor Copenhagen said, thank you for your comment.

#### **10. PUBLIC COMMENTS**

Heath Robertson, 1109 Broadmoor, said, this testimony is solely of my own views and opinions. It in no way represents any other individuals views or opinions. I feel compelled to be here this evening to voice my concerns over the termination of Rachel Anderson. I understand that in this capacity of being an elected official or an appointed official of the city, there are difficult decisions to be made at times. I respect you all for that and I am certainly not envious of your position when those situations arise. Regarding Rachel Anderson, based upon the facts that have surfaced on public forums, news outlets, and social media, for what manifested and lead to this. It is my opinion that the decision to terminate her employment was poor and arbitrary. On page 8 of the Jonesboro Employee Handbook under employment-at-will, it outlines that employees of the Police Department are not at-will employees. That would mean those employees exempt from that language would be entitled to the city having to show just cause for any form of discipline, up to and including termination. I ask that you all consider if just cause was established or even reasonable cause in deciding the fate of Anderson's employment. And, if, in fact, you decide there was, whether or not her alleged violation could have been remedied with a lesser punishment. In the recording from the termination meeting, this situation was compared to how it would also be handled in the corporate world. I would agree that, yes, in a corporate setting, labor laws and employment laws and at-will states are designed to protect employers and therefore, private sectors employers get to hide behind those laws when making decisions and certainly don't have to use a moral compass. Meaning that just because you can doesn't mean you should. However, I would disagree that the comparison be made at all. The difference is that this situation being of the public sector to which it



*opens the door to public scrutiny and opinion, especially when someone's livelihood is directly affected by that decision. I would think that in the public sector, doing what is morally right would take precedence over doing something just because you can. Corporations answer to a board, but elected officials answer to the public. I am proud to be a Jonesboro resident and one of the great things about our community is our ability to come together when something doesn't seem right. And, I think that you will find that after tonight, and as this transpires, there will be many residents standing in solidarity in support of Rachel Anderson. This city's leaders and appointed officials are faced with what should be an easy decision, to reinstate Rachel Anderson and make her whole. As you decide her fate, I ask that you consider this, whoever is involved with this decision has an obligation and an opportunity to make this right. If Rachel Anderson has accomplished and contributed all that she has to the JPD and to this community in her short five-year tenure, what does that contribution look like in ten years or twenty years? Please, judge Rachel based on her own merits. Don't undermine the trust and confidence that this community has in its city government and allow the City of Jonesboro to lose such a valuable asset whose job performance has directly affected its resident's safety and well-being in such a positive manner. Thank you.*

*Tracey Snell, 38 CR 357 Bono, said, Rachel is my niece. There are a lot of things I would like to say today, but I am going to limit them to some things that I think are important for the Council to know. Chief Elliott spoke to a reporter on Sunday, November 19, 2023 about this matter. He was asked verbatim if he was forced or told by the Mayor to fire Anderson. He said he was not. He said the Mayor agreed with the decision, but Elliott felt like his trust was betrayed. When Anderson told the Council that the Real Time Crime Center mostly works on investigations, Elliott says the opposite is true. He added that Anderson not only made the statement, but had scripted it and planned to make the statement and in essence accused both he and the Mayor of lying. He says those statements were intolerable and had eroded his trust and his confidence in her as an employee to move forward with her and that is the reason why she was terminated. I want to read you an email that was sent to Rachel and to Brian Richardson from Rachel's direct supervisor, Assistant Chief Lynn Waterworth. This email was sent on February 1, 2023. She states, "when you start to think about the Real Time Crime Center (which by the way is a function of police investigations, NOT dispatch), please, please, please consider an all-in-one facility so that we can bring all of the PD together on one roof and we would more than welcome dispatch to join us." I don't understand how Rachel Anderson could have been fired for saying the Real Time Crime Center mostly works on investigations when her direct supervisor absolutely said that it does and it is in writing. I would implore you to consider and let us know, let Rachel know why was she fired. Mayor Copenhagen said, thank you.*

## **11. ADJOURNMENT**

**A motion was made by Councilperson Mitch Johnson, seconded by Councilperson LJ Bryant, that this meeting be Adjourned. The motion PASSED with the following vote.**

**Aye:** 11 - Brian Emison;Chris Moore;Chris Gibson;David McClain;Joe Hafner;Mitch Johnson;Anthony Coleman;Janice Porter;John Street;Charles Coleman and LJ Bryant

**Absent:** 1 - Ann Williams

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

**Harold Copenhaver, Mayor**

**Attest:**

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

**April Leggett, City Clerk**