



# City of Jonesboro

Municipal Center  
300 S. Church Street  
Jonesboro, AR 72401

## Meeting Minutes City Council

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Thursday, January 18, 2018

5:30 PM

Municipal Center

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

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

#### 2. PLEDGE OF ALLEGIANCE AND INVOCATION

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

**Present** 10 - Charles Frierson;Chris Moore;John Street;Mitch Johnson;Gene Vance;Charles Coleman;Bobby Long;Joe Hafner;David McClain and LJ Bryant

**Absent** 2 - Ann Williams and Chris Gibson

#### 4. SPECIAL PRESENTATIONS

[COM-18:002](#) PRESENTATION BY MAYOR PERRIN TO COUNCILWOMAN ANN WILLIAMS AND COUNCILMAN JOHN STREET FOR 15 YEARS OF SERVICE.

Read

#### 5. CONSENT AGENDA

*Councilmember Chris Moore motioned to adopt unless there is an item to be pulled. Councilmember Joe Hafner asked that RES-18:005 and RES-18:006 be pulled from the Consent Agenda. Councilmember David McClain said he had two more that he would like removed from the Consent Agenda. He said he would like to remove RES-17:200 and RES-18:003 from the Consent Agenda. Councilmember Chris Moore motioned, seconded by Councilmember John Street, to adopt the Consent Agenda without RES-17:200, RES-18:003, RES-18:005, and RES-18:006. All voted aye.*

*Approval of the Consent Agenda*

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

**Aye:** 10 - Charles Frierson;Chris Moore;John Street;Mitch Johnson;Gene Vance;Charles Coleman;Bobby Long;Joe Hafner;David McClain and LJ Bryant

**Absent:** 2 - Ann Williams and Chris Gibson

[MIN-18:001](#) Minutes for the City Council meeting on January 2, 2018

**Attachments:** [CC Minutes 01022018](#)

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

[RES-17:195](#) A RESOLUTION TO THE CITY OF JONESBORO, ARKANSAS TO AUTHORIZE THE MAYOR AND CITY CLERK TO ACCEPT A PERMANENT DRAINAGE EASEMENT FROM EDWARD AND JANIS FOSTER FOR THE PURPOSE OF MAKING DRAINAGE IMPROVEMENTS

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

[RES-17:198](#) RESOLUTION BY THE CITY COUNCIL OF THE CITY OF JONESBORO, ARKANSAS AUTHORIZING THE CITY OF JONESBORO TO EXTEND THE EXISTING MOWING CONTRACT WITH THE ARKANSAS STATE HIGHWAY AND TRANSPORTATION DEPARTMENT

**Attachments:** [ArDot Mowing 2018.pdf](#)

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

[RES-17:201](#) RESOLUTION AUTHORIZING THE CITY OF JONESBORO TO ENTER INTO AGREEMENT WITH THE ARKANSAS DEPARTMENT OF PARKS AND TOURISM FOR THE FY 2018 OUTDOOR RECREATION MATCHING GRANT

**Attachments:** [Award Letter](#)

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

[RES-17:202](#) RESOLUTION AUTHORIZING THE CITY OF JONESBORO TO ENTER INTO AGREEMENT WITH THE DEPARTMENT OF JUSTICE, BUREAU OF JUSTICE ASSISTANCE (BJA) AND ACCEPT THE FY 2017 BULLETPROOF VEST PARTNERSHIP GRANT.

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

[RES-18:002](#) RESOLUTION AUTHORIZING THE CITY OF JONESBORO GRANTS AND COMMUNITY DEVELOPMENT DEPARTMENT TO APPLY FOR THE 2017 ASSISTANCE TO FIRE FIGHTERS GRANT FROM THE DEPARTMENT OF HOMELAND SECURITY.

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

## **6. NEW BUSINESS**

### *RESOLUTIONS TO BE INTRODUCED*

[RES-17:200](#) A RESOLUTION TO THE CITY OF JONESBORO, ARKANSAS TO ACCEPT THE LOWEST RESPONSIVE BID AND ENTER INTO A CONTRACT WITH JACKSON'S CONSTRUCTION FOR THE BRAZOS STREET SIDEWALK IMPROVEMENTS (2017:32)

**Attachments:**     [Bid Tab](#)  
                                  [Contract Documents 2017 32](#)

*Councilmember David McClain abstained from voting on this matter due to having a professional relationship with the contractor.*

**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:** 9 - Charles Frierson;Chris Moore;John Street;Mitch Johnson;Gene Vance;Charles Coleman;Bobby Long;Joe Hafner and LJ Bryant

**Absent:** 2 - Ann Williams and Chris Gibson

**Abstain:** 1 - David McClain

**RES-18:003**

RESOLUTION BY THE CITY COUNCIL OF THE CITY OF JONESBORO, ARKANSAS ESTABLISHING THE ELECTED OFFICIALS COMPENSATION COMMITTEE FOR A PERIOD OF 6 MONTHS

*Councilmember David McClain said if you look at the committee, you don't have any members of the general public. I would like for us to include somebody or two from the general public so they can have a say in how our compensation is decided. The only reason I say this is that this is tax money that we are dealing with so I feel that we should let someone besides an elected official and two members of the administration. I think for transparency sake, I think that would be the best move for us.*

*Councilmember Gene Vance said personally, I don't see anything wrong with that. That you pick someone from the professional community and then another from the community to be a part of that to have some input into that. Councilmember Joe Hafner said he is fine with that. Mayor Harold Perrin said that he didn't have any problem with that at all. I will be glad to submit names or you all can submit names. Councilmember Vance asked that it be postponed until the next meeting and allow anyone on the Council or from the public to submit names. Councilmember McClain motioned, seconded by Councilmember Vance, to postpone this until the next Council meeting so we can have names added to the committee. All voted aye. City Attorney Carol Duncan said when you amend the resolution to add the new members, you may also want to amend the start date since it says January. You might extend the six months and start it in February.*

**A motion was made by Councilman David McClain, seconded by Councilman Gene Vance, that this matter be Postponed Temporarily . The motion PASSED with the following vote:**

**Aye:** 10 - Charles Frierson;Chris Moore;John Street;Mitch Johnson;Gene Vance;Charles Coleman;Bobby Long;Joe Hafner;David McClain and LJ Bryant

**Absent:** 2 - Ann Williams and Chris Gibson

**RES-18:005**

A RESOLUTION TO APPROVE STARTING SALARY OF \$45,122 FOR POLICE SHOP SUPERVISOR APPLICANT AND TO BE MADE RETROACTIVE TO JANUARY 1, 2018

**Attachments:**     [Non-Uniformed Employee Pay Grades and Steps](#)

*Councilmember Joe Hafner said that when this came through the Finance Committee, it made perfect sense to me and to the rest of the committee as to why we wanted to hire this master mechanic to work on our fleet and save the City quite a bit of money. I*

know it is being presented as budget neutral because of the positions that weren't being filled, but that this one was going to be filled instead. Since the last Finance meeting, I have had some people reach out to me expressing concern over this person coming in at a Step 11. I don't know how this impacts moving forward with the step plan. I just want us to be aware that you may have future items to deal with hiring in someone at a Step 11. It may not be a big deal, but I think to some people it is. I just want to caution that we are very careful with how we handle this step program. In my professional experience, you hire someone in at the market or what it took to get them. I think with this step plan, it may be a little different as far as when people get hired in or when people get promoted, etc. I just wanted that to be on record. I may be off base, but I did have some people express that concern to me.

Mayor Perrin said that he was not at the Finance Committee meeting. You all may have discussed it in detail, but this gentleman here, we did hire from Cavanaugh who has done all of our work. What we were doing was paying x dollars on top of that. He has probably already saved us around \$4,000 just in the last 30 days. Plus, he has 30 years of experience with that. I just want to make that comment. I hear what you are saying. If you are going to do that and you go up to at least a Step 5, the Mayor can approve that. Anything above that has to be justified and I think that is what it said in the resolution. Based on his 30 years experience and being familiar with all of our vehicles is the justification. Councilmember Hafner said he just wanted to make sure that we were on record as to why we were doing it. Councilmember John Street said he was speaking with Connie Gellert this morning and he is even helping with the JETS bus group out there. He is a very knowledgeable individual and brought a lot of his own equipment and his own tools. Mayor Perrin said he brought a lot of his own equipment, technical, computers, and all of that stuff he had himself. Councilmember Bobby Long asked how many people he was supervising. Mayor Perrin said he didn't know and that he would have to ask the Police Chief. Chief Rick Elliott said there are two others in the shop. He has a fleet of 180+ vehicles. Councilmember David McClain asked how long those two other individuals have been with the Police Department. Chief Elliott said our Electronics Technician person has been there for 5+ years. Then, we have a part-time individual that has probably been there for three years. By both positions, just from outsourcing, we are saving.

Mayor Perrin said he spoke with the Fire Department today. On a diesel mechanic, we are going to be looking to see what it would cost to get a diesel mechanic. Last year, we paid over \$100,000 for diesel mechanic work. We are trying to look at the most efficient way to do it. I have no doubt that the new mechanic will far exceed paying for this. Chief Elliott said for record purposes, we are keeping a stat sheet. Councilmember Chris Moore said that might be prudent. Chief Elliott said it is. Councilmember Moore said at the end of the year, let's look at how much we have outsourced. Chief Elliott said he thought it was important that we run numbers on this. The mechanic has been at work since January 2, 2018 and our labor savings right at this point is \$4,000, just on labor alone. I think it will be huge compared to what we have spent in the past. Councilmember Hafner said he thought this hire made sense. I just wanted to note it since the position was on a higher level in the step plan. Mayor Perrin said the justification is needed in case you exceed the steps.

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

**Aye:** 10 - Charles Frierson;Chris Moore;John Street;Mitch Johnson;Gene Vance;Charles Coleman;Bobby Long;Joe Hafner;David McClain and LJ Bryant

**Absent:** 2 - Ann Williams and Chris Gibson

**RES-18:006**

A RESOLUTION TO CONTRACT WITH DEANNA HORNBACK TO PERFORM CONSULTING SERVICES FOR THE CITY OF JONESBORO

**Attachments:** [Hornbeck Ind Contractor Agreement.pdf](#)

*Mayor Perrin said he was not here at the Finance Committee meeting. I think most of us were in Ft. Smith last week when that happened. Two things, one is that we have been looking very closely at our franchise fees and how they are somewhat dwindling down overall. Deanna Hornback retired from Suddenlink. She has gone probably the last 20 years to all of the conventions that includes anyone that is using the airwaves. We got to visiting on this and there are several things here in town that are not paying us a franchise fee that should be. I will give you an example of that. Arkansas State University moved all of their internet business from Suddenlink to GAPE. GAPE is not paying the City of Jonesboro, but they are still using the airwaves. We are asking Ms. Hornback to go back and to look at all of these companies in Jonesboro, particularly cellular phones and come back with a full list of those and to go make calls on them and try to get these companies to start paying a franchise fee. I think this amount that we are talking about here is \$25,000 which is \$25 per hour and the only time she would be paid would be when she is calling on these people, interviewing them, and making sure they need to be and legally should be paying a franchise fee to the City of Jonesboro. It is an open ended deal.*

*Councilmember Joe Hafner said he didn't remember this coming up during the budgeting process. The fact that it came up right after we approved the budget, kind of concerned me some. Also, I wanted to have a better understanding of the scope of what she is going to be investigating because it mentioned hotel taxes, franchise fees, and stuff like that. I wanted to get a better idea. I also wanted to know if this is something that our current staff doesn't have the expertise to do or doesn't have the time to do. Also, I think the ordinance mentioned \$25,000, but when you look at the agreement, it is for a maximum of 1,500 hours per year at \$25 per hour which is \$37,500. There is a difference there, a pretty significant difference. Mayor Perrin said that Chief Financial Officer Bill Reznicek said it would be up to the maximum of \$25,000 total. The agreement needs to be changed on the hours. Councilmember Hafner said the agreement says 1,500 hours. Mayor Perrin said it needs to be changed. Franchise fees is a very unique deal. I don't know anyone on staff that knows all of these vendors that are out there in the community. I don't know of anyone that is on the payroll right now that has the knowledge and can go out and visit with these people, talk their language, and know and understand why they are not paying a franchise fee.*

*Councilmember Hafner asked if there was a certain amount of time that we could go back and assess a franchise fee. Mayor Perrin said that is a good question and she is going to check on that. I would anticipate that you probably cannot, but I am not an attorney. If you find out that they have done that, then maybe, at least, starting in January 2018 you might be able to, and again I would have to yield to our City Attorney, on that. Councilmember Hafner said I didn't know if they are supposed to be paying, if you can determine the date they started business in the City, if you could go back. Mayor Perrin said that is why her years of service running Suddenlink are important and she will know that. She will know if they should be paying or not. She is making that list now. And, then, when she goes and sees those people, then she will tell them you have got to start paying a franchise fee and she will give them the statute based upon that industry. Councilmember Hafner asked if there was any sort of dollar*

figure in mind that is going to say that this was worth it. Has she mentioned a potential amount? Mayor Perrin said if you just took that one case I just talked about, and that is in every unit that they have, besides all on campus, and you can imagine the internet that has gone through there and what they pay on a monthly basis, you are talking about a pretty good chunk of money. Councilmember David McClain asked how they paid. Mayor Perrin said they actually pay on a quarterly basis. You get a copy of that and it is on a pie chart. It shows how much we collect on franchise fees based on each industry, based on the airwaves or gas lines, and all of that stuff which is set by state law. She is going to go back and call on these people and say you are going to have to start paying these.

Councilmember John Street asked if she would monitor their records like she monitors A&P hotel tax. Mayor Perrin said she can do that because the way you do that, you can go in and monitor that. That is no problem at all. And again, what I want to do is look at this for a month. With this contract, either party can cancel this contract at any given time. I just think that the ones that she has told me that she knows that is not paying a franchise fee will more than offset what you are going to be paying her at \$25 an hour to go out and call them. Councilmember Hafner said I think we are going to have to have a pretty good return on that \$25 per hour. We don't want to break even. We want to come out ahead. Councilmember McClain said yes. Mayor Perrin said that right now, you are not getting anything. I didn't know that a large group like that had moved their internet services someplace else. Now, tomorrow someone could come in and do the same thing or somebody could start doing something in town like Ritter who pays us a franchise fee. They do that based upon their fiber optics and their cable. They are only doing the business part. They haven't even reached out to all of the residential areas yet. If you look and see what Ritter pays us a year on this it is a good amount of revenue.

Councilmember Hafner asked the Mayor when he thought it would be looked at. Councilmember McClain stated that Mayor Perrin had said a month. Mayor Perrin said that he thought it would take her at least a quarter to go out and make a list. To go out and call on these people and to get answers and correspondence, some of these will have to go all the way to the home office. It is not just someone locally. This may be in Des Moines, Iowa. She has got to make a contact and say in order to do business in the City of Jonesboro and work with the City Attorney, you have to pay this. I think we need to give this contract at least 90 days to look at it and see. If that doesn't work, we cut it off. Councilmember Hafner said he would like to have an update in 90 days. Mayor Perrin stated that if we approve this, you will certainly get an update. We will do that.

City Attorney Carol Duncan said that if we are approving it, then we need to amend the contract to say no more than 1,000 hours because I think that is what the math comes out to. We need an amendment to the contract. Mayor Perrin said that was all that was discussed. Councilmember John Street motioned, seconded by Councilmember Chris Moore, to amend the hours to 1,000. All voted aye.

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

**Aye:** 10 - Charles Frierson;Chris Moore;John Street;Mitch Johnson;Gene Vance;Charles Coleman;Bobby Long;Joe Hafner;David McClain and LJ Bryant

**Absent:** 2 - Ann Williams and Chris Gibson

**RES-18:008**

RESOLUTION TO SET A PUBLIC HEARING REGARDING THE ABANDONMENT OF JACKSON AVENUE BETWEEN CHURCH STREET AND CARSON STREET AND TO ABANDON A 15 FOOT ALLEY LOCATED WITHIN THE COBB'S SURVEY OF THE SW 1/4, SE 1/4 OF SECTION 18, TOWNSHIP 14 NORTH, RANGE 4 EAST AS REQUESTED BY JOHN EASLEY WITH ASSOCIATED ENGINEERING ON BEHALF OF ST. BERNARDS HEALTHCARE

*Mayor Perrin said the Public Hearing will be set for our next Meeting on February 6, 2018 at 5:20 p.m.*

*Councilmember Charles Frierson abstained from voting on this matter due to being a Board Member for St. Bernard's.*

**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:** 9 - Chris Moore;John Street;Mitch Johnson;Gene Vance;Charles Coleman;Bobby Long;Joe Hafner;David McClain and LJ Bryant

**Absent:** 2 - Ann Williams and Chris Gibson

**Abstain:** 1 - Charles Frierson

#### ORDINANCES ON FIRST READING

**ORD-17:092**

AN ORDINANCE TO WAIVE COMPETITIVE BIDDING AND AUTHORIZE AGREEMENT WITH THYSSENKRUPP TO UPGRADE ELEVATORS IN THE MUNICIPAL BUILDING

**Attachments:** [CityOfJonesboro\\_GoldContract.pdf](#)  
[Modernization Proposal for ThyssenKrupp Elevators.pdf](#)

*Councilmember John Street motioned, seconded by Councilmember Chris Moore, to suspend the rules and offer ORD-17:092 by title only. All voted aye.*

*Mayor Perrin stated that we have been looking at this for probably six months and it is a budgeted item in the budget for 2018. This is going to take both the front and back elevators which will take 4-5 months to complete. At any given time, one of them is going to be possibly down. I would really like to get this thing started. And, if we can add an emergency clause to this to get it done because you are already looking at January 18th now. Even if they started in February, you are getting into the summertime before these things would be done. We really need to get this done.*

*Councilmember John Street motioned, seconded by Councilmember L.J. Bryant, to suspend the rules and waive the second and third readings. All voted aye.*

*Councilmember Mitch Johnson motioned, seconded by Councilmember L.J. Bryant, to amend ORD-17:092 to include an emergency clause. All voted aye.*

*Councilmember Mitch Johnson motioned, seconded by Councilmember Bobby Long, to adopt the emergency clause. All voted aye.*

**A motion was made by Councilman John Street, seconded by Councilman LJ Bryant, that this matter be Passed as Amended . The motion PASSED with the following vote.**

**Aye:** 10 - Charles Frierson;Chris Moore;John Street;Mitch Johnson;Gene Vance;Charles Coleman;Bobby Long;Joe Hafner;David McClain and LJ Bryant

**Absent:** 2 - Ann Williams and Chris Gibson

**ORD-17:094**

AN ORDINANCE AMENDING THE JONESBORO CODE OF ORDINANCES SECTION 117. ADDING TO THE DEFINITIONS SECTION 117-2 TO INCLUDE CLUSTER HOUSING AND SECTION 117-138, FOR THE PURPOSE OF ADDING A NEW ZONING DESIGNATION WITHIN THE CITY OF JONESBORO, ARKANSAS, WITH THE INTENT TO PROVIDE AREAS FOR DEVELOPMENT AND REDEVELOPMENT FOR RESIDENTIAL HOUSING. THIS DISTRICT WILL PERMIT AND ENCOURAGE THE DEVELOPMENT OF DETACHED AND ATTACHED DWELLINGS IN SUITABLE ENVIRONMENTS, TO PROVIDE A RANGE OF HOUSING TYPES COMPATIBLE IN SCALE WITH SINGLE-FAMILY HOMES AND TO ENCOURAGE A DIVERSITY OF HOUSING TYPES TO MEET DEMAND FOR A WALKABLE URBAN LIVING.

**Attachments:** [Multifamily Opponents December 2017.pdf](#)  
[Shirley Moore Opposing Tiny Houses.pdf](#)

*Councilmember Mitch Johnson, seconded by Councilmember Charles Frierson, motioned to suspend the rules and offer ORD-17:098 by title only. All voted aye.*

*Councilmember John Street motioned to hold this to three separate readings. Councilmember Chris Moore said he would like to hold it to three separate readings, but that he would like the City Planner to give us a synopsis of what this entails. Councilmember Charles Coleman said he had a question about the 50 ft. City Planner Derrel Smith said what we are trying to do here is to add another tool in a developer's toolbox so that they can go to a smaller lot. We are proposing a 25 ft. wide minimum lot and it will allow for some infill areas where you don't quite have enough room to put a single-family home in right now. If you have a lot that is under 60 ft. or even under 50 ft., you can split that up and still get a single-family home in there. So, that is what we are working on. We have looked around at other areas and this is very similar to some of the other zones in other parts of the state. It is another option. We are not rezoning anything. It would be up to the property owner to apply for a zoning. It is just another option out there to try to develop within the city limits.*

*Councilmember Charles Coleman said that the question he still has is about the 50 ft. wide. Is there going to be any type of stipulations for what type of house would be on that site? Mr. Smith said no. We are giving the perimeters of what to build in, but what you build is going to be up to the person that builds the home. Councilmember Coleman asked if we were going to have 100 tiny houses all over town. Mr. Smith said probably not. I see this as going in certain lots. I don't see it as being a huge subdivision zone. I mean it could be, but I don't see it that way. I see it where you have two or three established homes and you have a lot there that is 50 ft. wide and it is hard to get anything in right now. If you can go in there, it gives you another way to develop that lot.*

*Selina Reithemeyer, 4102 Forrest Hill, asked if that contradicts the guidelines that you are trying to pass for multifamily housing. Mayor Perrin said I don't think so. Councilmember Chris Moore said it has nothing to do with it. Councilmember Joe Hafner said it deals with single-family. Mayor Perrin said it is single-family and not in the multifamily, duplexes, or triplexes. This is strictly single-family. Ms. Reithemeyer said ok and thank you.*



Mayor Perrin said I would like to hold it here and have three readings. I believe someone made a comment to that effect earlier. Councilmember Moore said yes, please. We would be happy to do that.

#### **Held at one reading**

#### **ORD-17:098**

AN ORDINANCE ADOPTING BY REFERENCE THE DESIGN GUIDELINES FOR DUPLEX AND TRIPLEX UNITS

**Attachments:**     [Design Guidelines for Duplex and Triplex Units revised.pdf](#)  
                              [Multifamily Opponents December 2017.pdf](#)

Councilmember John Street motioned, seconded by Councilmember Chris Moore, to suspend the rules and offer ORD-17:098 by title only. All voted aye.

Councilmember John Street asked that this be read at three different readings to allow everyone to examine it and have input into it. Mayor Perrin said he agrees. Councilmember Joe Hafner said he had a question and he knows that it was talked about some at the committee meeting. He said I want to make sure that obviously if we go this route, that we have something that we can enforce and uphold. I know at the committee meeting a lot of the "mays" were changed to "shalls." Is "shall be considered" binding when we are asking someone to do something? City Attorney Carol Duncan said that shall is a binding word. Councilmember Hafner said if a developer is doing a duplex, triplex, or multifamily, and part of the criteria is you all shall consider this, is that something that we can hold them to?

Councilmember Gene Vance stated that "be considered" takes away from it. We need to get it rewritten before the second reading and that is City Planner Derrel Smith's place to do. Councilmember Hafner said he thought in committee when we changed the "mays" to "shalls," the "to be considered" wasn't part of it. Right now, I am on the design guidelines for duplex and triplex units, architectural design concept. Architectural design concepts of neighboring projects shall be considered. Then, it says the project shall adopt a consistent or contrasting approach. City Attorney Carol Duncan said I think that is saying you will consider what the neighborhood looks like when you are adopting your approach. Councilmember Hafner said he wanted to make sure that the way this is written is binding. Councilmember Charles Frierson said he doesn't think it is with that language. Councilmember Hafner asked if that should say will be followed. I think there needs to be stronger language. Ms. Duncan said just give Mr. Smith guidance. Councilmember Hafner said he has considered a lot of things in his life, but I haven't always done them.

Ms. Duncan said she doesn't know if that is supposed to mean to be considered by staff when determining whether their design meets neighborhood or that it should be considered by the developer and maybe that is what needs to be clarified. What I think it means, in my mind it means that staff is going to consider the neighborhood in determining whether your building design meets the guidelines, not whether the developer is going to consider the neighborhood, that the staff is going to consider the neighborhood and MAPC is going to consider the neighborhood to determine if that building design meets the neighborhood design guideline. Councilmember Hafner said that confusion right there is what scares me. Ms. Duncan asked what confusion? Councilmember Hafner asked is it the staff or is it the developer? Ms. Duncan said in her mind, it is the staff. That is what I am saying, if you want us to clarify and I don't think there is any confusion, but we can clarify that and say staff shall consider. Councilmember Frierson said you should do that. Ms. Duncan said that is easy.

Councilmember Vance asked if the City Attorney and the City Planner could make

sure that this thing is written right before our next meeting. Ms. Duncan said you can. We were asked to keep it more open, but we can certainly make it more strict. Councilmember Hafner stated that if you keep it too open, it becomes hard to enforce. Ms. Duncan said that she agrees. Councilmember Vance said that it doesn't need to be confusing. Councilmember Hafner said he agreed. Ms. Duncan said she agreed.

Mayor Perrin said that we will get the City Attorney and the City Planner together on that. I agree with that because the whole purpose of the conversation of the last council meeting was to make it more strict, to make it more enforceable, and to make sure that everybody understands that. That is why we went to "shall" and not "may," "probably," "however," but "shall." We will get the City Planner and the City Attorney together and get back with it. Councilmember Hafner said he thinks it needs to be cleaned up a little bit more. Mayor Perrin said that we will just hold it at the first reading and then it will be on the second reading. Councilmember Hafner said his comments will probably apply to ORD-17:099 as well.

#### **Held at one reading**

#### **ORD-17:099**

AN ORDINANCE ADOPTING BY REFERENCE THE DESIGN GUIDELINES FOR MULTI-FAMILY RESIDENTIAL DEVELOPMENT

**Attachments:** [Design Guidelines Multi-Family Residential Development Revised.pdf](#)  
[Multifamily Opponents December 2017.pdf](#)

Councilmember John Street motioned, seconded by Councilmember Chris Moore, to suspend the rules and offer ORD-17:099 by title only. All voted aye.

Mayor Perrin said this will need to be moved to the City Attorney and the City Planner as well. So, we will leave it here if it is the desire of the Council and it will be on the second reading.

#### **Held at one reading**

#### **ORD-18:001**

AN ORDINANCE AUTHORIZING 2% RAISE FOR THE CITY ATTORNEY AND DECLARING AN EMERGENCY

Councilmember John Street motioned, seconded by Councilmember Mitch Johnson, to suspend the rules and offer ORD-18:001 by title only. All voted aye.

Councilmember John Street motioned, seconded by Councilmember L.J. Bryant, to suspend the rules and waive the second and third readings. All voted aye except Councilmember David McClain who voted no.

Councilmember Mitch Johnson motioned, seconded by Councilmember Chris Moore, to adopt the emergency clause. All voted aye except Councilmember David McClain who voted no.

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

**Aye:** 9 - Charles Frierson;Chris Moore;John Street;Mitch Johnson;Gene Vance;Charles Coleman;Bobby Long;Joe Hafner and LJ Bryant

**Nay:** 1 - David McClain

**Absent:** 2 - Ann Williams and Chris Gibson

**ORD-18:002**

AN ORDINANCE AUTHORIZING 2% RAISE FOR THE MAYOR AND DECLARING AN EMERGENCY

*Councilmember John Street motioned, seconded by Councilmember Bobby Long, to suspend the rules and offer ORD-18:002 by title only. All voted aye except Councilmember David McClain who voted no.*

*Councilmember John Street motioned, seconded by Councilmember Chris Moore, to suspend the rules and waive the second and third readings. All voted aye except Councilmember David McClain who voted no.*

*Councilmember David McClain said he wanted to make a comment. We have talked about this and we have kicked the can down the road. I get that, but for me, when we have addressed this and voted it down 11-1, for us to continue to bring this up I think is something that voters would recognize and realize that in a time where we have said time and time again we are pulling from reserves and may have to have a tax increase, I think it is something the voters will see as not in the best interest of the City. I truly feel like this is not the time. This is not the place for this and that is why I am in opposition to this. I just want to make that real clear. That is a question that has been asked of me if we vetoed it once, why do we continue to bring it back up.*

*Councilmember Joe Hafner said he would like to say something. I agree with some of what Councilmember McClain is saying, but also I think there is quite a bit of difference between these three ordinances and what was voted down last year. One difference being last year's ordinance had everybody including the Council together and also it was at 6% and not 2%. Councilmember McClain said that we moved it down if I am not mistaken. Councilmember Hafner said he didn't remember moving it down. Councilmember McClain said we moved the 6% down. We did. We decreased it. Councilmember Hafner said he didn't remember that. Councilmember McClain said it was either 2% or 3%.*

*Councilmember Mitch Johnson motioned, seconded by Councilmember Chris Moore, to adopt the emergency clause. All voted aye except Councilmember David McClain and Councilmember Bobby Long who both voted no.*

**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:** 8 - Charles Frierson;Chris Moore;John Street;Mitch Johnson;Gene Vance;Charles Coleman;Joe Hafner and LJ Bryant

**Nay:** 2 - Bobby Long and David McClain

**Absent:** 2 - Ann Williams and Chris Gibson

**ORD-18:003**

AN ORDINANCE AUTHORIZING 2% RAISE FOR THE CITY CLERK AND DECLARING AN EMERGENCY

*Councilmember John Street motioned, seconded by Councilmember Mitch Johnson, to suspend the rules and offer ORD-18:003 by title only. All voted aye.*

*Councilmember John Street motioned, seconded by Councilmember Mitch Johnson, to suspend the rules and waive the second and third readings. All voted aye except Councilmember David McClain and Councilmember Bobby Long who voted no.*

*Councilmember David McClain asked to help him understand this. So, we just adopted this tonight and are going to move it to the next meeting the committee to look at pay*

raises for elected officials, but we are establishing and giving a pay raise tonight. Councilmember Joe Hafner said the committee is to establish a long-term plan. Basically, we have had this instance since 2016 where there hasn't been a plan or process in place for elected officials pay. So, that is kind of what we are trying to address tonight is to give them a 2% increase for the first raise since 2015. I think we want to put something in place, guidelines that address if we are paying fairly, what is going to be the mechanism for pay raises in the future and the process. Mayor Perrin said that is correct. Councilmember Hafner said that is every three years, not this year. McClain said ok. So, that is going to looking at future raises and not this year.

Councilmember Mitch Johnson motioned, seconded by Councilmember Chris Moore, to adopt the emergency clause. All voted aye except Councilmember David McClain and Councilmember Bobby Long who both voted no.

**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:** 8 - Charles Frierson;Chris Moore;John Street;Mitch Johnson;Gene Vance;Charles Coleman;Bobby Long and LJ Bryant

**Nay:** 2 - Joe Hafner and David McClain

**Absent:** 2 - Ann Williams and Chris Gibson

**ORD-18:004**

AN ORDINANCE TO WAIVE COMPETITIVE BIDDING AND AUTHORIZE PURCHASE OF A TIME AND ATTENDANCE MANAGEMENT SYSTEM

*Councilmember Mitch Johnson motioned, seconded by Councilmember John Street, to suspend the rules and offer ORD-18:004 by title only. All voted aye.*

*Mayor Perrin said there is no need to get this approved tonight. We can hold it at one reading.*

**Held at one reading**

**ORD-18:005**

AN ORDINANCE AUTHORIZING THE CITY OF JONESBORO TO AMEND THE 2018 GENERAL FUND BUDGET FOR ADDITIONAL PROFESSIONAL SERVICES AND TO PURCHASE A TIME AND ATTENDANCE MANAGEMENT SYSTEM

*Councilmember John Street motioned, seconded by Councilmember Bobby Long, to suspend the rules and offer ORD-18:005 by title only. All voted aye.*

*Mayor Perrin stated he would like to hold this too because Chief Financial Officer Bill Reznicek is not here tonight. He has a lot of data and stuff that he has worked on with this. So, we will hold it. Councilmember Charles Frierson asked what was the difference in this ordinance versus the previous one. Mayor Perrin said that he thinks one of them is buying the system. Councilmember Mitch Johnson said one of them is for professional services. Councilmember Joe Hafner said one of them is waiving the competitive bidding.*

**Held at one reading**

**ORD-18:006**

AN ORDINANCE TO WAIVE COMPETITIVE BIDDING AND AUTHORIZE UPGRADE OF MICROSOFT EXCHANGE SERVER 2016 LICENSES

*Councilmember John Street motioned, seconded by Councilmember Mitch Johnson, to suspend the rules and offer ORD-18:006 by title only. All voted aye.*

Mayor Perrin said there is no rush on this. We will just hold it there if that is ok. Councilmember Charles Coleman said he needed to ask a question on holding that one. I am not sure how much you know about Microsoft Exchange Service, but I think before the new system comes in because the new item is coming in now, we might want to move that faster than you think. You might want to check with the IT person. Mayor Perrin said I checked with him before we started Mr. Ratcliff. I think we can wait until the next Council meeting on February 6, 2018 and probably get a second and third reading and go ahead and give us that time which is two weeks. But, I know what you are saying on that. If you don't, all of that has to be changed and you are talking about a nightmare. Councilmember Coleman said it is more than a nightmare. Mayor Perrin said that it would be more than that. That is a good comment Councilmember Coleman.

#### **Held at one reading**

#### **ORD-18:007**

AN ORDINANCE AUTHORIZING THE CITY OF JONESBORO TO AMEND THE 2018 JET FUND BUDGET IN ORDER TO CREATE FOUR FULL TIME TRANSIT DRIVER POSITIONS IN THE JET DEPARTMENT AND FOR THE ADOPTION OF AN EMERGENCY CLAUSE FOR THE EFFICIENT OPERATION OF CITY GOVERNMENT

Councilmember John Street motioned, seconded by Councilmember L.J. Bryant, to suspend the rules and offer ORD-18:007 by title only. All voted aye.

Councilmember Mitch Johnson motioned, seconded by Councilmember Charles Frierson, to suspend the rules and waive the second and third readings. All voted aye.

Mayor Perrin said that he would like to get this approved tonight and I will explain that in just a minute. Councilmember Chris Moore asked if the basic idea here is that it is cheaper to have four full-time employees than the part-time that we have been hiring. Mayor Perrin said yes it is. The main thing is to have those drivers because it is extremely difficult to get part-time drivers for the JET System. Councilmember Joe Hafner stated that the way that Chief Operations Officer Ed Tanner explained it at the Finance meeting is for new drivers, but with matching grants we get, we are basically getting four drivers for I think \$40,000. Mayor Perrin said that is exactly right. Councilmember John Street said that this will help facilitate the Saturday routes. City Attorney Carol Duncan said and extra hours. Mayor Perrin stated we have already started Saturday hours this year. This is an 80/20 on the 5307 federal money. So, you are right. It is only going to cost you the \$40,000 to get the four. You are right.

Councilmember Moore said I am assuming we are going to be offering those positions to the part-time drivers we have. Mayor Perrin stated that would be his understanding. Councilmember David McClain asked if that was the reason for the emergency. Mayor Perrin said we are trying to get them on board. Councilmember McClain said I am asking if we have two part-timers right now, correct? Mayor Perrin stated that we have more part-timers in JETS and we are trying to get them moved up to full-time. Then, we will have to notify the federal administration and go ahead and get those monies on that deal. Councilmember Bobby Long stated that from his understanding, there are over ten part-time drivers. They are trying to coordinate ten part-time drivers and get them on board and that is difficult to do. Councilmember John Street said that Mr. Black can explain that, but it is very difficult to get part-time drivers that meet the qualifications. Everyone wants a full-time job and I believe he expressed that.

Councilmember Mitch Johnson motioned, seconded by Councilmember L.J. Bryant, to adopt the emergency clause. All voted aye.

**A motion was made by Councilman Mitch Johnson, seconded by Councilman**

**John Street, that this matter be Passed . The motion PASSED with the following vote.**

**Aye:** 10 - Charles Frierson;Chris Moore;John Street;Mitch Johnson;Gene Vance;Charles Coleman;Bobby Long;Joe Hafner;David McClain and LJ Bryant

**Absent:** 2 - Ann Williams and Chris Gibson

**ORD-18:009**

AN ORDINANCE AMENDING CHAPTER 117, KNOWN AS THE ZONING ORDINANCE OF JONESBORO, ARKANSAS, PROVIDING FOR CHANGES IN ZONING BOUNDARIES FROM RESIDENTIAL, R-1 TO GENERAL COMMERCIAL DISTRICT LUO, C-3 FOR PROPERTY LOCATED AT 2301 CULBERHOUSE AS REQUESTED BY BLUE PLATE, LLC

**Attachments:** [Plat of Survey.pdf](#)  
[BLUE PLATE ORDINANCE NO.pdf](#)  
[Application.pdf](#)  
[Questions on Applications.pdf](#)  
[Staff Summary - Council.pdf](#)  
[Views of Location.pdf](#)  
[Handout.pdf](#)  
[Warranty Deed.pdf](#)  
[Property Owners Notification.pdf](#)  
[USPS Receipts.pdf](#)  
[Returned USPS Green Cards.pdf](#)

*Councilmember John Street motioned, seconded by Councilmember Joe Hafner, to suspend the rules and offer ORD-18:009 by title only. All voted aye.*

*Skip Mooney, Jr. stated that he represents Blue Plate, LLC. As you know, the MAPC has recommended the rezoning of this property. I think it is kind of interesting. This property, if you haven't had a chance to go out and look at it, is over by Sims Avenue on the corner of Sims and Culberhouse. Most people know this property as Ms. G's Deli. It was there forever. But, going back and looking at the history of it a little bit, what has happened is that my client Blue Plate purchased this property in 2008. From that point on, there has always been a restaurant there. All of these businesses operated under the grandfathered clause which I am sure you all are familiar with.*

*What happened was that my clients re-leased the property in December of 2016 and by August of 2017, they were going to open up a new Mexican restaurant there. They had done all of this improvement and they probably put in \$10,000 worth of kitchen equipment, new tiling, new flooring to this building and so forth. As a matter of fact, these tenants have told me that they have spent about \$60,000 trying to get this business opened including rental. What happened was in August of 2017, they went to the Health Department to get their inspection. The Health Department told them that the City now requires grease traps. Now, I don't know what a grease trap really is, but I can tell you this, it costs about \$10,000 to put one in. So, it took about two more months for them to go and get this grease trap, invest in this property, and put this grease trap in.*

*In October, they came to get their occupancy permit and their business permits so they could open up their business. They found out at that time that the property has been zoned as R-1 for years. We filed an application, and I am sure you have seen it, to change the rezoning of this property to C-3, L.U.O. It was very restrictive to use the*

*property as a restaurant, food establishment with catering because that is the history of the use of this property. It has been the history of the use of this property since I thought when Mrs. G's started. After the MAPC meeting, I got calls from some residents that lived over there and grew up over there and they tell me that in the 1960's, this building was originally built as a local market for the neighborhood. After that point, it was a laundry mat. I think in the 1980's is when Mrs. G's came in. I submitted a re-plat that you all surely have seen that says Mrs. G's commercial block. Everybody thought this was commercial property. Directly to the north of this property, the City has put in all of this drainage area that I am sure you are familiar with that runs up to Owens Street. Directly to the south of this property is the parking lot of St. Paul United Methodist Church. So, it is not like it is sitting right in the middle of the neighborhood. We are not asking for fast food. We would never ask for that. All we are trying to do is maintain the type of business that has been there at least since the early 1980's.*

*It has become a hardship of course for my client and for the tenants of this property. I went back and tried to research the history on my own. It is kind of difficult to do. We know that since 2003, Mrs. G's was there because it is on the plat, that is pretty obvious. In 2009 after my clients purchased the property, Mrs. G's went out of business and Blue Plate Special opened up. I am sure you all are familiar with that too because they had great food, but there was some trouble that happened I guess with the owners and they couldn't make it last. In 2011 and 2012, Ma Casa Mexican Restaurant operated there. In 2012, a Leticia's Restaurant was open there. In 2013, another restaurant opened there. In 2015, Gourmet Diva Delivery operated there. After that, Jonesboro Total Health Care, LLC operated there which was a fast food establishment that did catering. It was a surprise that this was not zoned properly. The question is when a client comes to you is what do we do? How do we fix this? Well, the best thing to do is what we did. We went over and met with City Planner Derrel Smith and the Planning Commission and asked how can we get this rezoned and make it right so that in the future there is not going to be any problems with this? Basically, it has been operated as a commercial business yearly for years. There is absolutely no reason not to rezone this. It creates a hardship on my clients because they have an obligation under lease with the tenants. It creates a hardship on the tenants as they have already invested I know at least \$10,000 from a plumbing company here in town that put in the grease trap. I'm sure if you all are familiar with that, it is a pretty big operation. They put in new tiling and a new kitchen, they are ready to open. They have been ready to open since October. They have gotten every permission required of them. But, we have got this rezoning problem.*

*I think under the grandfathered clause, they are entitled to open and continue operating that way. I think that is what the law is. But, again, my clients want to get this done. The land use map was not in existence when these businesses operated. I am also asking that you go ahead and do one reading and suspend the rules and give it all three readings or suspend the second and third readings. Again, they were ready to open in August. There is a new requirement on the grease trap. They are ready and have done everything that they are required to do since October and much later we are still dealing with this issue. So, we would ask that you do that. We would also ask that you adopt an emergency clause. This is a huge economic hardship on these people. They are trying to operate in the City of Jonesboro. In all fairness, it is the only thing I think should be done and hopefully, you all will agree with that.*

*Councilmember David McClain said I know this is a hardship for your clients Mr. Mooney. Is this an emergency for the City of Jonesboro? That is what the emergency clause is used for, an emergency for the City of Jonesboro. Councilmember Gene*

Vance said well it is an emergency for the citizens of Jonesboro. Citizens of Jonesboro deserve that. Councilmember McClain said I get that, but I'm just saying. Councilmember Vance said I have a question and I am not an attorney, but have the utilities ever been cut off on this building during this period of time? Mr. Mooney said after going and trying to look at that, I went back and tried to look at all of the business licenses and whatever and I don't have all of that information. I don't think that they have been shut off for more than a year. Councilmember Vance said it is his understanding that if the utilities, in our ordinances unless they have been changed, that if the utilities are off for more than six months, then the grandfathering goes away. Mr. Mooney said it is my understanding is that it is one year, but it has still been able to continue to operate. The question you get into is that I haven't seen that about a utility being off for six months. I haven't seen that specific ordinance. Councilmember Vance said that is in our old ordinances. City Attorney Carol Duncan said that it talked about whether the business quit operating for a period of time, but I think we all discussed this and it was hard to track because so many businesses went in and out over a period of time whether there was a gap like that and that is why they made the decision of the route of rezoning so there is never an issue in the future with the property. Councilmember Vance said we had one over on Gee Street when I was on the Planning Commission and it was based on the utilities on it.

Councilmember Vance motioned, seconded by Councilmember Charles Frierson, that we suspend the rules and waive the second and third readings. Councilmember David McClain asked City Attorney Carol Duncan to read the emergency clause, the definition of the emergency clause. Ms. Duncan said she does not have a definition, but my understanding is and this is not popular, but it is an emergency that effects the public health, wealth, and safety of the citizens of Jonesboro. Councilmember Chris Moore stated he hates to call the City Attorney to a point-of-order, but the question before us is to suspend the rules and waive the second and third readings and it has a motion and a second. Ms. Duncan said she understands, but she also understands that Councilmember McClain started asking his question and then got stopped and then Councilmember Vance started and he wanted to ask his question so I think that is fair. Councilmember Moore said he didn't mean to be ugly about it, but the question is, before we get confused, are we going to have a rezoning of a property on one night which we normally don't do and I personally think that is bad business. Now, I would be in favor of waiving the second reading and then at the next meeting, having the third reading and the emergency clause because to change the property zoning in one night on three readings with the emergency clause, I don't think is in the best interest. I think we ran into that on the alley.

Councilmember John Street said he echoes what Councilmember Moore said. In the 15 years I have been here, I think we have only done it one time and it was for an industrial prospect, a piece of property in the middle of industrial park. Mr. Mooney said he has actually had it done himself personally. The Council told me to go back and tell my dad that he never got three readings. The only reason why I am asking for this, and I question why a raise is an emergency? This property has been operating as commercial. The City has allowed a commercial business, the same thing we are trying to do, for almost 30 years at this location. This is not something that is unusual. Other than the fact that we are trying to get it straightened out and my client is spending the money to do it. So, what is the hold up? My problem is to listen to the citizens here and the people operating the business. We have laid it out. It is obvious if you have looked at everything that has been produced. These people should be able to get to work and make a living. This is a family.

Councilmember Moore said let me answer your question Mr. Mooney. Mr. Mooney said



*I wish you would. Councilmember Moore stated he didn't think that anyone is arguing, I will personally testify that there has been a restaurant or a business that sells food there since the early 1980's that I know of. I don't think anyone is questioning that. The question is whether or not we will do a rezoning on one night. There may be a question by someone in that neighborhood that we have not heard yet and that affords them the opportunity to have a two-week period to come forward and present a reason that we may not be aware of. Mr. Mooney said I agree and I understand. Councilmember Moore said that is the only reason. Mr. Mooney said if you don't adopt the emergency clause, it is another 30 days. Councilmember Moore said no, what I am saying is I am in favor of adopting the emergency clause at the next meeting so it's not 30 days. Mr. Mooney said I totally understand.*

*Councilmember Vance said if we can get over the emergency clause tonight, I withdraw my motion if Councilmember Frierson will withdraw his second and make a new motion. Councilmember Frierson said that he would withdraw his second. Councilmember Vance said I make a motion we suspend the rules and waive the second reading tonight. Councilmember Moore seconded that motion. Councilmember McClain said I am not trying to stop you guys from doing it, but I think the big thing is setting a precedent, like Councilmember Moore said, we don't need to set a precedent of giving rezonings in one night and in my opinion, having emergency clauses attached to the rezonings when it is not an emergency for the City of Jonesboro is a problem. All voted aye.*

*Councilmember Gene Vance motioned, seconded by Councilmember Chris Moore, to suspend the rules and waive the second reading. All voted aye.*

**A motion was made by Councilman Gene Vance, seconded by Councilman Chris Moore, that this matter be Waived Second Reading . The motion PASSED with the following vote.**

**Aye:** 10 - Charles Frierson;Chris Moore;John Street;Mitch Johnson;Gene Vance;Charles Coleman;Bobby Long;Joe Hafner;David McClain and LJ Bryant

**Absent:** 2 - Ann Williams and Chris Gibson

## **7. UNFINISHED BUSINESS**

### *ORDINANCES ON THIRD READING*

**[ORD-17:093](#)**

AN ORDINANCE TO AMEND CHAPTER 117, KNOWN AS THE ZONING ORDINANCE PROVIDING FOR CHANGES IN ZONING BOUNDARIES FROM RESIDENTIAL, R-3 TO GENERAL COMMERCIAL DISTRICT, C-3 FOR PROPERTY LOCATED AT 1607 STONE STREET AS REQUESTED BY JOANNE GURLEY OF LIFE SKILLS K-12 SCHOOL, LLC

**Attachments:** [1607 Stone Street Rezoning.pdf](#)  
[Stone Plat.pdf](#)  
[Staff Summary - Council.pdf](#)  
[Summary Conclusions.pdf](#)  
[Application.pdf](#)  
[Area.pdf](#)  
[Aerial View of Location.pdf](#)  
[Lease Agreement.pdf](#)  
[Adjoining Property Owner Notifications and Signed.pdf](#)  
[Rezoning Plat.pdf](#)  
[Stone Street Church of Christ Plat.pdf](#)  
[Warranty Deed.pdf](#)  
[USPS Certified Mail Receipts.pdf](#)  
[Pictures of Area 1.pdf.pdf](#)  
[Pictures of Area 2.pdf.pdf](#)

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

**Aye:** 10 - Charles Frierson;Chris Moore;John Street;Mitch Johnson;Gene Vance;Charles Coleman;Bobby Long;Joe Hafner;David McClain and LJ Bryant

**Absent:** 2 - Ann Williams and Chris Gibson

**ORD-17:096**

AN ORDINANCE TO AMEND CHAPTER 117, KNOWN AS THE ZONING ORDINANCE PROVIDING FOR CHANGES IN ZONING BOUNDARIES FOR PROPERTY LOCATED EAST OF MAKALA LANE ON THE OLD CRAIGHILLS GOLF COURSE PROPERTY FROM RESIDENTIAL MULTI-FAMILY, R-2 TO MULTI-FAMILY RESIDENTIAL PLANNED DEVELOPMENT, PD-RM AS REQUESTED BY PDW PROPERTIES, LLC

**Attachments:** [Staff Summary 17-35 Makala Lane and Old Craighill's Golf Course.pdf](#)  
[COJ Rezoning Ordinance.pdf](#)  
[17128-002-SIGNED.pdf](#)  
[Application.pdf](#)  
[Rezoning Map.pdf](#)  
[Layout.pdf](#)  
[Area.pdf](#)  
[Pictures of Area 1.pdf](#)  
[Pictures of Area 2.pdf](#)  
[Adjoining Property Owner Notifications.pdf](#)  
[USPS Green Receipts.pdf](#)  
[Ron Blackburn Powerpoint.pdf](#)  
[Parker Request.pdf](#)

*Councilmember Joe Hafner asked may I make a few comments before Mr. Don Parker gets started. If you don't mind? Mayor Harold Perrin said go ahead. Councilmember Hafner said I know there is probably going to be quite a bit of discussion so I kind of wanted to get my comments, questions, whatever you want to call them, out on the floor so they can be answered during the presentations. My experience with this property is having a lot of fun playing golf out at Craighills Golf*

Course when it was there and I hated to see it close when it did, but I understand that's part of business and progression. My understanding is, when it closed, that a local developer tried to put a single family residential development out there. For whatever reason, I believe he ran into issues whether it be neighbors didn't want a development out there or what, but a single family residential neighborhood was planned to be put out there. He ended up selling the property, which was actually zoned multifamily at the time, and now the apartments are out there. And, from what I've seen out there, and I've talked to City Planner Derrel Smith some about this, is they're really nice apartments, and, I think, for the most part, they would go along with the design standards that have been proposed. So, as we're going through the presentations tonight on each side, the proposal that is in front of us actually lowers the number of units that can be built based on current zoning. So, I guess my question is, if this is lowering the units, they can actually start building as soon as they got a building permit, what are the reasons for the concern? Is it the streets going in or what?

Mr. Don Parker said members of the City Council, I appreciate the opportunity to address you tonight. I represent Mr. Sid Pickle and PDW Properties, LLC, the applicant, for the rezoning pending before you. Tonight, you are considering, if you've had an opportunity to read your packet, you're considering a rezoning petition for 11.22 acres from what is now zoned R-2 multifamily to PD-RM. This request will decrease the number of units that can be built on this 11.22 acre-tract from 12 units per acre under R-2 to less than nine and one-half units per acre under PD-RM.

Before getting into the particulars, I want to go back through some of the things Councilmember Hafner said earlier tonight, and I want the Council to understand the history of the development of this property. This rezoning request is really just a continuation of the master development plan that actually began back in 2011 with the adoption of the first plan development. Mr. Pickle purchased the old Craighills Golf Course, which is 78 acres, and it was already zoned R-2. He purchased the property in a series of three transactions going back in 2006, 2007, and 2008. He began his development of this property in 2006. Some of you, as Councilmember Hafner mentioned, may recall that after the Craighills Golf Course closed, in the early 2000s, it was purchased by local developer Jim Abel for a single-family development, but due to significant delays resulting from the opposition by adjacent property owners, primarily those living along Harrisburg Road that backed up to the golf course, Mr. Abel sold the property to Brandon Barber for a multifamily development under R-2 standards. Mr. Barber's financial difficulties were well chronicled, and those difficulties ultimately led to Mr. Pickle's purchase of the entire 78-acre tract of the old Craighills Golf Course.

Mr. Pickle began his development with fourplexes along Craighead Forrest Road and then primarily along the first section of Bekah Drive, Sydney Cove and Blair Cove. In 2010, he had already developed 147 units on the property and that's when the City Planner, who was at the time Otis Spriggs, recommended that he continue his development as a planned development. That, to answer your question Councilmember Hafner, was done primarily so the planned development would give the city planner and the City, the Metropolitan Area Planning Commission (MAPC), more control in how the development looked, the aesthetics of the development, as well as specific set asides, I'm sure you are all familiar with, under the planned development restrictions. It also allowed Mr. Pickle to develop what was a more aesthetically pleasing development and not have to situate the fourplexes where they all looked the same. So, this gave him the opportunity to vary how he could develop Savannah Hills.

Taking you back to the first rezoning, this was in January 4, 2011. As I mentioned, it was a rezoning for 13.46 acres. City Council at the time passed the rezoning

*unanimously. Eight of you were on the Council then, including Councilmembers Williams, Frierson, Moore, Street, Johnson, Vance, Gibson and Dr. Coleman. The second rezoning from R-2 to PD-RM occurred, not quite two years ago, on February 2, 2016. That was about a five-acre tract that was rezoned at that time. The City Council, that night, passed the rezoning by a vote of 8-1, with former Councilmember Burton casting the lone dissenting vote. Councilmember Charles Frierson and Councilmember Ann Williams were absent that night, but Councilmembers Moore, Street, Johnson, Vance, Gibson and Dr. Coleman all cast votes in favor of the rezoning, and, on behalf of Mr. Pickle, we thank you for those votes. So, combining the 150 units that were developed in the two planned developments that have already been passed by the Council, along with 147 units that were developed prior to the first planned development in 2010, Mr. Pickle has a total of 297 units on 33 acres. That yields a density of nine units per acre. That results also in 99 fewer units in the planned development than the otherwise we could have developed under the R-2 standards.*

*On December 12, 2017, this rezoning received a favorable recommendation by the MAPC, with the following stipulations, all of which are acceptable to Mr. Pickle. Number one, the proposed site satisfy all the requirements of the City Engineer and all the requirements of the Stormwater Drainage Design Manual and the Flood Plan Regulations. This should satisfy and alleviate concerns about any drainage issues coming from this project. Number two, final site plan subject to all ordinance requirements shall be submitted, reviewed and approved by MAPC prior to development. Number three, any change of use is subject to MAPC approval. Number four, the final site plan illustrating compliance with site requirements for parking, signage, landscaping, fencing and buffering shall be submitted and approved by MAPC prior to development, with new screening, outdoor storage and dumpster enclosure requirements included, if stipulated by the MAPC. So, as I said, this proposal not only reduces the density from 12 units per acre to 9.5 units per acre, it also gives the MAPC extensive control on how the property is developed, as well as additional requirements and stipulations, as you know, may be added when the site plan is presented to MAPC approval.*

*Since the MAPC recommended approval of this rezoning, this Council can depart from the MAPC findings only if the Council determines there is a sound basis for doing so. So, turning to the criteria set forth in the Jonesboro Code of Ordinances Section 117-34, the staff report found that Mr. Pickle's rezoning request is in compliance with all requirements that are applicable. This staff finding is also consistent with the two prior rezonings that I discussed. As you know, in the past few years, virtually every multifamily rezoning request coming before the City Council always meets with significant opposition. This proposal is no different even though this rezoning reduces the number of multifamily units which can be constructed by 30.*

*Opponents have raised four primary objections, as you have seen in their PowerPoint and the other material they have submitted. Primarily, increased traffic, increased crime, declining property values and failure to comply with the preliminary development plan approval criteria. Let's take them one by one. As far as increased traffic is concerned, it doesn't take a rocket scientist to know that development increases traffic. However, since this rezoning request reduces the density, and thus reduces the traffic, from twelve units per acre, as a matter of right, to nine units per acre, traffic will be reduced. It's that simple.*

*Increased crime. I think we can all agree that the statistics show that crime increases when there is a higher density of people living in a smaller area. All you have to do is look at the hotspots of criminal activity that have been presented to the Council over*

*the years. Without exception, the hotspots are always where there are a higher concentration of people living in a smaller geographic area. However, this proposal will decrease the density by 22%, from 136 units to 106 units, a decrease of 30 units, which would equate to a reduction of at least 60 people living on the 11.22 acres when fully developed, if you assume 100% capacity. Review of the crime statistics for 2016 and 2017 for this area show that of the 30 reported calls to the Jonesboro Police Department (JPD) at Savannah Hills, 13 were involving items stolen from vehicles, which as you know has happened all over the city, including neighborhoods like Sage Meadows and Ridgepointe, five for theft of \$1,000 or less, three burglaries, four domestic calls, one theft of \$5,000 or less, one criminal mischief and two suicide threats. There were no murders. There were no rapes. There were no shootings. There were no people charged with possessing drug paraphernalia or possessing illegal drugs, or drug dealing. While Mr. Pickle would love for there to be no calls to JPD at Savannah Hills, for the number of residents living out there these reports to JPD are not alarming and certainly not what the police department sees in some of the higher density multifamily projects, which are in those hotspots I referred to earlier.*

*Now for decreased property values. This is always a classic red-herring argument. There is absolutely no evidence that multifamily development decreases values in adjacent neighborhoods. If there were any empirical data remotely suggesting this, the opponents would have presented it. There is not data because there is none to support this concern.*

*At the last Council meeting, there was some discussion about the approval criteria under Section 117-175. I would just like to point out for the Council that the approval criteria is for consideration when the preliminary site plan or development plan is presented, which occurs after rezoning. Site plan review is conducted by MAPC, not the Council. In my opinion, it's not appropriate to consider any of these criteria in a rezoning request. I want to talk for a minute about economic impact and impact on the schools. Mr. Pickle has invested over \$26 million in developing 297 units so far. That investment has resulted in many jobs in this community, thousands of dollars in sales tax paid to the City on the construction materials, and this project generates over \$250,000 in annual real estate taxes, 80% of which goes directly to the Nettleton School District.*

*While families with children are not typically residents in two bedroom apartments, which are the vast majority of the apartments in Savannah Hills, there are currently 45 school-aged children that live in Savannah Hills. Forty-three of which we believe attend Nettleton School District. The other two, we think, attend Valley View. So, based on \$250,000 in annual revenue, the Nettleton School District receives over \$5,500 for each of the 43 children living in Savannah Hills. That's a far greater amount per child than the average household in the Nettleton School District pays in annual real estate taxes, and, thus, is a pretty good deal for the Nettleton School District. In summary, this rezoning request, if approved, will reduce the density by 22% allowing for a better plan of development, which continues the development plan that was recommended by the City Planner and approved by this City Council and will give the MAPC extensive control over the development that does not exist under the R-2 standards. We request that you follow the MAPC's recommendation and approve this rezoning. We certainly appreciate your time and consideration of this request and would be glad to answer any questions you may have.*

*Mr. Ron Blackburn, 798 Brownwood Circle, said I live two blocks from the affected area. This is my third time to be before the Council. I was impressed with Mr. Parker's presentation. I don't know where he was the last two meetings before this, but there*

was a number of items that I presented in the last hearing that went over the lack of responsibilities that the developer has not done. Review those things. Everybody has already heard them. This is where we ended up our last presentation. We requested the City Council to vote no to this rezoning request, refuse to grant any future grading or building permit for PDW/Sid Pickle, until the City provides adequate streets, approves a multifamily residential plan and ordinances, codes, regulations, laws that are necessary to enforce that plan, implements a tree preservation ordinance and acquires the ability to levy impact fees, when necessary. That was the end of our last presentation and that evolved into a nice discussion of levying impact fees. I think that's going to carry forward from here in committee meetings, etc., however that is taken care of. Mayor Perrin said yes. We are looking at impact fees. We've pulled several cities. Mr. Smith and I have. Once we get all those together, as I told the Council, I'm going to send that out to every councilmember we got, but we don't have all of them collected yet.

Mr. Blackburn said after the last meeting we put into action a petition drive, and there it is now. It states, we the undersigned citizens of Jonesboro, Arkansas, strongly oppose Ordinance-17:096 to rezone this property and urge the City Council to also deny any application for a grading permit, approval of site plans, building or any changes to the existing property until the City of Jonesboro has: (1) legally approved an updated design guidelines for multifamily residential developments and the necessary ordinances and codes to enforce it; (2) require a setback distance from neighboring R-1 homes that would retain the natural screening by trees and shrubs that already exist. Additional fencing and tree/shrub placement must be required to insure the privacy of those homeowners; and (3) complete street improvements to accommodate an additional 200 vehicles that include widening, curbing, culverts, sidewalks, etc., on Russell Hill Road, 4200 Block of Makala Lane, and West Craighead Forest Road, and continue to place a high priority on improvements scheduled to be made by the Arkansas Highway Department on Harrisburg Road (Highway 1B).

Mr. Parker saved me some time in bringing up the issues of an overburdened Nettleton School District, the increase in crime and the property values being lower. We can sit here and argue all night, but those things are facts. We all know those. At this time, I'd like to recognize the people who supported this petition drive. If there is anybody here in attendance who is against this and signed the petition, would they please show their hands or stand up? What I am about to say should not be taken as criticism, but as an opportunity to move forward. In the process of obtaining the signatures for this petition, I had the opportunity to visit about 40 families of homes that adjoin the proposed expansion. One of the surprising statements that four of those families gave me was their approach to a solution to this issue would be, and I quote, "well, we will just move." The City has made mistakes in the past in handling growth and promoting increase in population. The first error was in annexing an enormous amount of surrounding area into the city and not having a plan to bringing the infrastructure for that area up to city standards. Second, the City was so desirous of population growth that it did not properly monitor the zoning and building of apartments. Case in point, this ordinance tonight is a result of the City granting R-2 apartment zoning status to a 300-acre, 400-acre site, which is completely surrounded by R-1 single family homes. That action makes it possible for this developer to build another 500 apartments in addition to the 300 that are already there. By voting no tonight, the City Council can recognize the need for this city to move away from putting population growth as its top goal and replacing it with quality of life for all of its citizens so that we no longer hear the statement, "well, we will just move." This city needs to start putting quality of life above quantity of inhabitants. Thank you.

Councilmember David McClain said before she comes up, I just wanted to ask a quick question to Mr. Smith. I'm just trying to wrap my head around this. This is about the rezoning. This is totally rezoning tonight, but the final site plans, will that be subject to the new multi-family? Mayor Perrin said not until it's passed. Councilmember McClain said but I'm saying if we pass it and they don't submit their plans until say March, I doubt that happens. Mr. Smith said it just depends on when it's submitted. Councilmember McClain said okay. Mr. Smith said if it's submitted after the new approval then it will be subject to the new plan. Councilmember McClain said okay. Councilmember L.J. Bryant said Mr. Smith, I have a question for you. I just wanted to really clarify this, so this would be less units per acre? Mr. Smith said that's correct. So, right now, R-2, tomorrow or whenever, they could go get a permit and build more than what this rezoning would allow them to do. Mr. Smith said R-2 allows 12 units per acre.

Mr. Parker said I just wanted to follow up Councilmember McClain on that question. If any of you have had the opportunity to drive out there and you look at what has already been built and you compare it to the design standards, most of what's out there already complies with the design standards. And, so, if things follow as they normally do, and assuming this council adopts the design standards, prior to the point, Mr. Pickle will get to the point of submitting his site plan for approval to the MAPC, the design standards should be in effect by that time. But, in any event, what he's doing already, there's very little if anything that he's not doing that he would have to change with the adoption of the design standards.

Ms. Selena Reithemeyer, 4102 Forrest Hill, said basically I just have an idea that I think would make everybody feel better in situations like this. I mean, obviously, it's too late to do anything. It's already zoned R-2. So, there's apartments going in there whether there's 12 or 9 per acre, but, and this one really affects me because they surveyed today and this comes to my fence, my backyard. What would make us feel better is if you could actually request the site plan when you get the rezoning. I mean, why is that not done? I don't understand that.

City Attorney Carol Duncan said legally that's not allowed. You have to determine whether the property fits the zoning without knowing what's being built there. That's case law and that's just the law the way it stands. Councilmember Chris Moore said and also that's practical because technically Mr. Pickle could get this rezoned and he might not even build on it. He could turn around and put it up for sale tomorrow. So, whatever site plan Mr. Pickle submitted could have no effect if he sold the property. So, in other words, there's not obligation for Mr. Pickle to have to build on this.

Ms. Reithemeyer said okay. So, it might make some of these people feel better if they could see exactly what he's planning on doing. Councilmember Moore said but what I'm saying is he's not obligated to do that. Councilmember Gene Vance said they would be able to see it at the planning commission level because that is a public forum also, and even though it's not legal, really and truthfully, it's a function of the planning commission. That's what they work with. They work with the planner and the engineers. That's really their job instead of our job here on a practical standpoint.

Ms. Reithemeyer said okay, and are the setback requirements any different on those? Councilmember Vance said I think you'll find on the plan, and Mr. Smith will have to answer that, but I think on the plan use development the setbacks and everything are probably even greater than the one on R-2. Ms. Reithemeyer said that's what I was wondering. Councilmember Vance said I think they are, aren't they Mr. Smith? Mayor Perrin said yes. Ms. Reithemeyer asked what the setbacks are. Mr. Smith said I would

have to go back and look. Ms. Reithemeyer said alright. Thank you.

Ms. Tina London, 1010 Russell Hill, said this is my first City Council meeting. I moved in December 2016, and I just wanted to make a comment. I live on that street. Seeing the traffic flow through there I got curious so I took a drive around the community, those apartments, and they are very, very nice. I don't know the layout and I don't know the right jargon so, again, please forgive me, but the only exit that I could see from those apartments was south of the community, and most of the shopping, schools and businesses are north of that area, so we get all of their traffic, especially during rush hour, and after 10 o'clock we do get a lot of speeding up and down the streets. The wintertime is very dangerous and during rain. I have seen cars that actually swiped each other's side mirrors and a couple times my mailbox has been hit. I think that it causes a bit of concern, especially my neighbors across the street who have young children. I know we have huge yards, but there's a bit of concern of the speeding on that street, as well. I do understand why we get most of their traffic. Again, I don't know if there's another entrance or exit, but, if I lived there, I would not want to leave and go south where shopping and the businesses are north of me. It would just make sense to go through the neighborhood. So, I just wanted to make that comment. Mayor Perrin said thank you.

Councilmember Moore said this woman's concerns are legitimate. We just completed the plumbing in two houses on Russell Hill in the last six months, and the traffic on Russell Hill is atrocious. The design of Russell Hill itself is bad. There's no shoulders. It's a sharp drop-off. There's an open ditch on both sides. Regardless of the outcome tonight, the City does need to look at Russell Hill and do some modification to that street. Mayor Perrin said that's what we commented on last time. Ms. London said I forgot to thank Councilmember Joe Hafner and City Engineer Craig Light. I thank you guys for such a quick and wonderful job that you guys did with the drainage issues and culverts and stuff that you helped with with our house. I really appreciate that. It helped a lot. Thank you.

Mr. Richard Long, 1117 Russell Hill Drive, said I've drove through the apartment complex several times and they're really nice looking apartments, but there is one section where the apartments aren't that big and they've actually got a privacy wall, or privacy fence, between those apartments and the nice apartments. Now, I don't know what he's gonna build in the new area, but if they're gonna look like the ones he's hiding now, we don't want them by our property. Thank you. Mayor Perrin said thank you very much.

Councilmember Vance said I would just like to say, and this is really a hard one because if we go with what they ask us to do and vote no on this, they have the right to come and get a building permit and put 12 units per acre there and not meet any additional standards than the normal standards. That hurts to have to make a decision based on that, but my knowledge and my time with the planning commission, and I was there when we had our first planned unit development ordinance developed. A planned unit development came to help the City have some say so on how a piece of property is developed and not just developed by just the plain ordinance. It was really a good thing at the time and I think it's a good thing now.

Sometimes getting what you ask for may be worse than not getting what you ask for, and I'm afraid that's what we're looking at right now for these residents of that area. The only way I see that we can eliminate what they're seeing, and we're hearing arguments all over town, and I voted against the last one, I don't know whether I would this time or not, we'd just have to go to another moratorium on multifamilies, period,



and not ever have any more multifamilies built in town. And, that would be a nightmare for our attorneys. I'm just saying we're in a real quandary up here and understanding it's a very difficult situation to understand exactly what a yes vote means and what a no vote means up here tonight.

Councilmember Charles Frierson said do we have a motion? Ms. Duncan said not yet. Mayor Perrin said no. Councilmember Frierson said I make a motion we adopt it. Councilmember Bryant said can I ask a question? I know we kind of asked this question with Ms. Duncan last time, and I know Councilman Frierson and you all disagreed a little bit, where did we land on can we ask them to adhere to the new multifamily standards? Ms. Duncan said we disagreed about a lot of things, but I don't think that was it. But, no, we can't. Not unless, it depends on when they get their building permit. Mayor Perrin said it depends on when they come in. Ms. Duncan said right. Mayor Perrin said you can't enforce anything that's not law. So, you've only had a reading on that tonight. I believe it's the first reading. Ms. Duncan said it was on the first reading. Mayor Perrin said we also agreed to go to a total of three readings. So, what you're seeing is you have a month left before you even vote whether you pass it up or down on the new standards itself. If he comes in before that then he doesn't have to go by that. Councilmember Bryant said right. Mayor Perrin said if he comes in after that, and if we approve it, then he would have to build to those standards. Ms. Duncan said right. Councilmember Vance said and there's a 30-day waiting period after that unless you add an emergency clause. Mayor Perrin said unless you add an emergency clause. That is correct. And, I concur with Councilmember Vance, and again, the fact to this deal here is that if you do nothing then he has the right to build 12 units rather than 9. Councilmember Hafner said I second his motion. Mayor Perrin said okay. We have a motion and a second.

**A motion was made by Councilman Charles Frierson, seconded by Councilman Joe Hafner, that this matter be Passed . The motion PASSED with the following vote.**

**Aye:** 10 - Charles Frierson;Chris Moore;John Street;Mitch Johnson;Gene Vance;Charles Coleman;Bobby Long;Joe Hafner;David McClain and LJ Bryant

**Absent:** 2 - Ann Williams and Chris Gibson

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

*Mayor Perrin reported on the following items:*

*Mayor Perrin stated that you all have received the financial statements for the Airport Commission. They look good and they give it to us every month.*

*Mayor Perrin said that we were going to have our dedication and I was very impressed by everyone that was going to come from Little Rock this week. However, due to the weather, we had to change that to February 22, 2018. If you will, put that on your calendars. We will get the note out. Communications Director Bill Campbell will get that sent out to everyone. The CEO of Blue Cross and Blue Shield, the Director of Parks and Tourism, the Arkansas Highway Department, the Federal Highway Administration and all of those have agreed to come.*

*Mayor Perrin stated that this Sunday, Community Development Director Tiffny Calloway, Chief Financial Officer Bill Reznicek, and I will be leaving to go to Washington, D.C. We have already established and made appointments with our agencies that we are going to call on to hopefully get more money from these*

agencies, the Department of Justice, HUD, EDA, EPA, and all of those. In that process, Mrs. Calloway has come up with a great PowerPoint presentation on the total dollar amounts that were received from these agencies and what we have done with the money. We are going to show them that before we ask for any other new program. I am going to ask Mrs. Calloway after we get back from Washington, D.C. to be put on the Council agenda so she can show you all that. I think it would be good for you all, particularly the new Council members because it gives you the dollar amount of all of the grants that we have gotten from each agency and what we have done with that money. We will be coming back on Wednesday night. It is going to be a quick trip. We also have meetings set up with Senator Cotton as well as Senator Boozman. While we are there, they will be there. They will not be in session which is good for us in reality because it gives us more time to sit down with our delegation and talk to them.

Mayor Perrin said that the Parks Department had asked Pepsi to give us some of the recyclable bins that they have. We did receive 40 of those today. They are in the warehouse and we will be getting those out to Craighead Forrest Park, Joe Mack Campbell Park, and others, as weather permits.

Mayor Perrin stated that the Winter Conference went well. We did come back early on Thursday due to the weather forecast. While we were there, we did pick up the Volunteerism City of the Year Award for the State of Arkansas. This is the second time I think that your city has received this award. Several years ago the Municipal League started a program called a Certification. It takes several hours to get that and you go through all phases of government from planning, budgeting, HR, and all of those things. Councilmember John Street received his certificate. He is certified. I would encourage any of you that is on this Council if you have not done that please consider doing that. I went through it and got that done. Senator Baker had a very good deal in mind in the fact that it exposes you to all facets of city government. I encourage you to do that.

**COM-18:001**

Financial statements for the Jonesboro Airport Commission for December, 2017

**Attachments:**     [JAC Jonesboro Airport Financials 12\\_17.pdf](#)

Filed

**9. CITY COUNCIL REPORTS**

Councilmember John Street said he appreciates Mayor Perrin's comments. He said that he knows that Councilmember Charles Coleman is certified too. I don't know if he got his CE in this time, but he is certified. At the Winter Conference, we heard a lot of good things from our fellow cities and we always bring something back. It was kind of cut short, but we did pick up some new information on medical marijuana laws and things. Mayor Perrin stated that our City Attorney, Carol Duncan, is President of the Arkansas City Attorney's Association. Ms. Duncan said we meet next week so I will let you know what they tell us.

Councilmember Joe Hafner said last May I started talking about the sidewalk ordinance when the one presented by the Sidewalk Committee got turned down. I have had several conversations with local developers and different ideas were mentioned. One of them was an impact fee. So, when you brought up impact fees at the last Council meeting, and it will be interesting to see what turns out, but what I would like to see is City Planner Derrel Smith and Planning and maybe Chief Engineer Craig Light

*and others to give me feedback on that. I have said all along I was going to present my ordinance when I had it written, but obviously if sidewalks are going to be part of those impact fees for new developments, I don't want to duplicate efforts. I kind of need to know soon if I need to proceed with the sidewalk ordinance or do I need to wait until the impact fees are figured out? The bottom line is as much development as we have going on in Jonesboro, every day that we don't do sidewalks, I feel that we are getting farther behind.*

*Mayor Perrin said I hope to have in two weeks or so all of the impact fees throughout the state that we have asked for. In fact, I read all of those and particularly those from Conway, which we already had. I talked to the new Mayor, Mayor Blankenship who was there. As soon as we get those, I assure you that we are going to get those out to you all. We will scan them and send them out to your computer where you can look at them. We will rush it up and try to get it done.*

*Councilmember Hafner said the sidewalk thing has kind of laid low because of some other issues, but it is definitely still on the radar and something I want to be a part of. Mayor Perrin said I think that is going to be part of those impact fees because it is the roads and things of that nature. No doubt about it. Councilmember Hafner said he just wants to get it going.*

*Councilmember David McClain said the MLK Parade from this past week was pretty awesome. We had a good turnout. I thought it was really awesome that we had a good turnout for it. Second thing, I got to tour the E. Boone Watson Center the other day. If you haven't had a chance to go by and view the history room that is in there, take time to go by and just see some of the history of African Americans here in Jonesboro. Mayor Perrin said he would have to echo that because he has been through it several times. It seems that they add stuff to that all of the time. It is real good. Councilmember McClain said he saw pictures of Dr. Coleman. I was impressed. He is certified and he is in the history room.*

*Councilmember Chris Moore asked if there was any movement on the Citizens Bank Building. Mayor Perrin said that we have had some discussion this week with Mike Downing with Jonesboro Unlimited, myself, Ed Tanner, and Tiffny Calloway. There has been some movement on that. We have not gotten a letter yet from our attorney, Price Gardner out of Little Rock, but there has been some movement on there. I would like to wait until we get the letter from Price Gardner, give that to you all, and then give you all a full update on that. Councilmember Moore asked if Mayor Perrin expected that in the next 30-60 days. Mayor Perrin said that yes, I would hope that we would get that letter within 30 days.*

*Councilmember Dr. Charles Coleman said he would like to thank the community for allowing him to speak on the MLK Day, not just for the minorities, but for the whole community. We need a lifting of all of ourselves to look at all of our stewardships on what we need to be doing in this community. I want to thank you. Mayor Perrin said thank you.*

*Councilmember Gene Vance said I think we do need to have a little recognition. This letter comes from the Brad Smith family who on December 23, 2018, had a fire at their home. They were able to get out along with their two children and two fur babies. Councilmember Vance said, as a contractor, he has attended meetings with the former and current fire chiefs on where the next fire stations should be. The letter says the Jonesboro Fire Department was on the scene within nine minutes of the call. Their cool heads, wisdom, and repetitive training took over. There was no fear, no hesitation,*

*just an all out attack on this demon he calls the demon of fire. Fire does not discriminate. There is no political agenda, no basis. Councilmember Vance said he just wanted the Chief to know that he is recognized. I am hoping this goes as a letter to the Editor. I think we owe you a big thanks. And, also, you and your predecessors and our predecessors here that had the foresight to start this process. In 2006, the process was started to have these and this was one of the fire stations that was moved. I think we really owe our Fire Department and our Police Department our thanks. Sometimes we don't always understand what we are doing up here, but what we are doing is very important. Thank you Chief. Mayor Perrin said thank you Chief.*

## **10. PUBLIC COMMENTS**

## **11. ADJOURNMENT**

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

**Aye:** 10 - Charles Frierson;Chris Moore;John Street;Mitch Johnson;Gene Vance;Charles Coleman;Bobby Long;Joe Hafner;David McClain and LJ Bryant

**Absent:** 2 - Ann Williams and Chris Gibson