



# City of Jonesboro

Municipal Center  
300 S. Church Street  
Jonesboro, AR 72401

## Meeting Minutes Public Safety Council Committee

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Tuesday, November 15, 2016

5:00 PM

Municipal Center

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### 1. Call To Order

### 2. Roll Call by City Clerk Donna Jackson

**Present** 5 - Gene Vance;Chris Gibson;Chris Moore;Mitch Johnson and Todd Burton

### 3. Approval of minutes

#### [MIN-16:129](#)

Minutes for the Public Safety Committee Meeting on October 18, 2016

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

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

**Aye:** 4 - Gene Vance;Chris Gibson;Chris Moore and Todd Burton

### 4. New Business

#### *Ordinances To Be Introduced*

#### [ORD-16:077](#)

AN ORDINANCE TO AMEND ORDINANCE 10-7 KEEPING OF SWINE TO ALLOW FOR THE KEEPING OF POT-BELLY PIGS IN THE CITY OF JONESBORO

*Councilman Chris Gibson made a motion to forward to full council. He said he is one of their neighbors and he has been out there since they got the pot bellied pigs and he thinks he has seen them twice. He said he has no issue whatsoever with the pigs and he thinks they are treated like pets.*

*Councilman Chris Moore stated that he didn't know the woman or her pigs, but he does know pigs. He said without it being a referendum on hers, if we adopt a city wide ordinance that allows swine up to 175 lbs. which is the size of a full grown pig, it will become a problem. He said you are not talking about a little pet, you are talking about full grown livestock. He said that we can discuss it here or we can discuss it at full council. He said he is opposed to having full grown swine in the city. He said he didn't know how it would be policed or how they could make determinations. He can see how it can possibly become a big issue.*

*Carol Duncan, City Attorney, stated that this ordinance is a hodgepodge of different things that different cities have done and we created it with different things in it so that*

*the committee and the council could discuss and decided exactly, if they decide to allow pot bellied pigs in the city limits of Jonesboro, what parameters they would put on it. She said we kind of hoped that you all would look through the different guidelines and talk about it and give us some guidance if you want to see changes before it gets to council rather than after it is at council and council having to amend it.*

*Councilman Moore stated that he would rather that the committee discuss it. Councilman Gibson said he was good with that and he would withdraw his motion. Councilman Moore asked if they wanted to hear from the proponent first and hear her presentation and then discuss it. Chairman Mitch Johnson said that would be up to the desire of the committee. He said he would open the floor for discussion. Councilman Moore said he is opposed to the ordinance as it is written.*

*Chairman Johnson asked if the proponent would like to come to the podium to discuss the ordinance. Ms. Dana Barkly, 4404 Lockmoor, stated that she looked over the ordinance and she was concerned about the weight limit. She said one of her pigs might weigh 150 or 175 lbs and he is considered a miniature pot bellied pig based on his height because he is small and compact. She said the miniature is based on the height. She said a miniature pot bellied pig can weigh anywhere from 40 to 200 lbs.*

*Councilman Moore stated his concern is not with the proponent's pig, but that he doesn't know how the city will police that. He said that his family raised pigs and the market standard in the United States for a meat pig is 175 to 225 lbs and at the height listed in the ordinance. He said there is no difference in this ordinance between swine. Ms. Barkley stated that the ordinance states that the pot bellied pigs have to have a vet bill of health and be registered with the American Mini Pigs Association. She said these would be breeders that register with the American Mini Pigs Association so they would not be selling hogs or meat pigs.*

*Councilman Moore said all of his pigs had to have a bill of health and they came from ASU and meet all of the specs for meat pigs. He said he looked at the registration for the Mini Pigs Association and they consider a classic pot bellied pig to be 50 lbs or less and with a height of 16 inches or less. He said there is another category for pigs that are 50 to 80 lbs with a 17 inch shoulder height. He said they have another category for those that are over 80 lbs. Councilman Moore said there is no such thing as a Vietnamese Pot Bellied Pig breed. He said it is just a term that is applied to miniature or KuneKune's or some other breed.*

*Ms. Barkley stated that what she had sent to Ms. Duncan was based on the height and not on the weight. Councilman Moore stated that the ones they raise meet that height spec also. According to this ordinance, there is nothing keeping anyone from getting any two pigs they wanted and keeping them according to that standard until they exceeded the 175 lbs. He stated that most commercial pigs are long and low now instead of tall and round.*

*Ms. Barkley asked about the hoof size and leg size. Councilman Moore stated he did not read that in her ordinance. City Attorney Carol Duncan said Ms. Barkley sent her office the ordinance, but a lot of changes were made. She said they drafted the ordinance with guidance from Animal Control because they were trying to think about the enforcement issues. Councilman Moore said he is concerned about the enforcement from Animal Control's standpoint. Nothing in the ordinance in front of us prevents any livestock or any pigs that you would want to raise until they exceed that height. He said you can go to the Pig Association and there at least five different registries where you can pay \$10 or \$15 and register your pig. You send pictures and*

some form, but it doesn't mean anything. He said there is no certification on them.

Councilman Moore said if they were going to consider pigs, he would want to go with the Pot Bellied Pigs Association term of classic pot bellied pigs. Their size and specs are less than 50 lbs. and less than 16 inches to the shoulder. That is the term and standard that they set in order to be registered as a classic pot bellied pig. The second class is 50 to 80 lbs and comes with a 17 inch should height. He said he didn't think they would want to exceed that or else they are talking about livestock.

Chairman Johnson stated that he is not familiar with these pigs except for what is presented in this ordinance. He didn't know if they were a true breed or they have been cross bred. Councilman Moore said Vietnamese Pot Bellied Pig is a generic term for pigs that originated in Asia in the 1980's. Most of them were KuneKune breed based. It is like a dog. Calling a pig a Vietnamese Pot Bellied Pig is like calling a dog a dog. It is just a mixed pig. There is no breed for that.

Ms. Duncan said everything she read said that it doesn't basically exist anymore, but it is a common term used for a pet pig. Councilman Moore said it is based on a standard size and height and not to say that it is any particular breed and that is where Animal Control is going to have an issue of enforcement. There is no genetic breed and there is no standard that says that you have a registry that shows it's mom and dad. It's just a pig. Councilman Moore said with that ordinance you can have any pig up until it exceeds 175 lbs. Ms. Duncan said they would require a weight certification every year, but they are also to keep it in their house according to the ordinance. Councilman Moore stated that keeping it in the house is not the important part.

Councilman Gibson asked Animal Control Director Larry Rogers if he had any input on this issue. Mr. Rogers said he had several concerns about this ordinance to have pigs within the city limits. He said that Animal Control is not equipped to deal with pigs. He said they would have to have a special facility because they cannot be housed with the dogs in the kennels. He said they have had an Animal Control Officer injured dealing with a pig. Trying to capture a pig is very hard to do. The Arkansas Game and Fish has very strict laws and regulations dealing with pigs and feral hogs.

Mr. Rogers said his fear is that the Pig will become a fad where everyone wants one just because they can now have one. He said we have people that we deal with that have pigs and we issue citations that give them a certain amount of time to get rid of the animal. He said there are responsible pet owners out there, but what happens when the pig is 5 or 10 lbs. when it is acquired and then grows to 175 lbs. and is too hard to handle. Then they want to come to Animal Control and surrender it. We do not have the facilities. If we do get the facilities, are we going to have anyone that is going to want to adopt the pig or is it going to have to become a meat source or it will have to be euthanized and we do enough of that as it is. If a pig is released in the city or the county, it can become feral in no time. Mr. Rogers said he is concerned. What if someone moves in next door to you, gets pigs, and is not responsible. This is something we need to think about seriously.

Chairman Johnson asked the desire of the committee. Councilman Moore said his desire is that we take no action on our current ordinance. Councilman Gibson said that he would have to second that in light of what Mr. Rogers just said.

Chairman Johnson asked if they were doing a positive motion moving not to amend the current ordinance or for the ordinance to remain as is. Councilman Moore said lack of action means it dies. City Clerk Donna Jackson stated that the ordinance would stay

the same. Councilman Moore said that he would make a motion that we maintain the current ordinance as written and Councilman Gibson can second that meaning no action was taken. Councilman Gibson seconded the motion. All voted aye.

City Attorney Carol Duncan said for clarification that Animal Control held off on any enforcement on this while it was pending. So, at this point they enforce the ordinance as is would be her understanding legally. Councilman Moore stated that would be his understanding.

**Councilman Chris Moore motioned to maintain the original ordinance (ORD-10:007) on the keeping of swine in the city limits, seconded by Chris Gibson. All voted aye.**

#### *Resolutions To Be Introduced*

##### **RES-16:144**

RESOLUTION BY THE CITY COUNCIL OF THE CITY OF JONESBORO, ARKANSAS to condemn property located at 315 State Street, Owner Fred L. Lyles MDPA.

**Attachments:** [county data](#)  
[Inspection report](#)  
[Limited Title Search Lyles](#)  
[pic-1](#)  
[pic-2](#)  
[pic-3](#)

*Code Enforcement Officer Mike Tyner said this was a multifamily unit on State Street that had burned in January 2016. He said he had tried contacting Mr. Lyles with no resolve and there has been no change with the status of the property as far as any permits or repairs made.*

**A motion was made by Councilman Todd Burton, seconded by Councilman Chris Moore, that this matter be Recommended Under New Business . The motion PASSED with the following vote.**

**Aye:** 4 - Gene Vance;Chris Gibson;Chris Moore and Todd Burton

##### **RES-16:145**

RESOLUTION BY THE CITY COUNCIL OF THE CITY OF JONESBORO, ARKANSAS to condemn property located at 1403 Oakhurst, Owner: A+ Property Management LLC, Stuart Simpson.

**Attachments:** [County Data](#)  
[Inspection report](#)  
[Limited Title Search A+ Property](#)  
[pic-1](#)  
[pic-2](#)  
[pic-3](#)

*Code Enforcement Officer Mike Tyner said this is a vacant property on Oakhurst that has fallen in disrepair. It is missing windows and doors and there are large holes in the walls and the roof. It is unsecure and it is unsafe.*

**A motion was made by Councilman Chris Moore, seconded by Councilman Todd Burton, that this matter be Recommended Under New Business . The motion PASSED with the following vote.**

**Aye:** 4 - Gene Vance;Chris Gibson;Chris Moore and Todd Burton

**5. Pending Items**

*Councilman Moore asked about a house located on the 1400 block of Matthews that might be a possible burnout. Code Enforcement Officer Mike Tyner stated that he was out with the building inspector and they looked at the house. The fire originated in the attic and the front part of the house. Structurally, the main house is stable. He said he has sent a certified letter to the owner of the house per Mr. Renshaw's advisement that they have the carport that is fallen removed. We are currently working on getting that one resolved.*

**6. Other Business****7. Public Comments****8. Adjournment**

**A motion was made by Councilman Chris Moore, seconded by Councilman Todd Burton, that this meeting be Adjourned . The motion PASSED with the following vote.**

**Aye:** 4 - Gene Vance;Chris Gibson;Chris Moore and Todd Burton