



City of Jonesboro

Municipal Center
300 S. Church Street
Jonesboro, AR 72401

Meeting Minutes City Council

Tuesday, September 20, 2016

5:30 PM

Municipal Center

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

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

PUBLIC HEARING AT 5:20 P.M.

Regarding the abandonment of 10 feet of a 15 foot utility easement at 2217 Masters Drive as requested by Charles & Melinda Porter

No one spoke in opposition to the abandonment.

NOMINATING & RULES COMMITTEE SPECIAL CALLED MEETING AT 5:25 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 11 - Darrel Dover; Ann Williams; Charles Frierson; Chris Moore; John Street; Mitch Johnson; Gene Vance; Chris Gibson; Rennell Woods; Todd Burton and Robert Long

Absent 1 - Charles Coleman

4. SPECIAL PRESENTATIONS

[COM-16:072](#)

Proclamation presentation by Mayor Perrin to Jane McDaniel for Pink for the Cure Day 2016

Sponsors: Mayor's Office

Mayor Perrin presented the proclamation to Ms. McDaniel and declared October 7, 2016, as Go Pink for the Cure Day. Ms. McDaniel announced the first Race for the Cure in Jonesboro on May 6, 2017. The funds raised from the race will go towards the Arkansas chapter of the Susan G. Komen Foundation. Almost \$2 million has come back to northeast Arkansas from the foundation in the form of grants for screening and education.

This item was Read.

COM-16:074

Presentation by the new Arkansas State University Chancellor, Doug Whitlock

Sponsors: Mayor's Office

Mr. Whitlock introduced himself and noted he has already had a warm welcome from everyone in the community and at the university. He stated Jonesboro, Arkansas is the first place he's lived other than Richmond, Kentucky and the two years he spent in the Army. He's spent his entire professional career at Eastern Kentucky and wasn't looking for a job. But, he became interested in the job. Eastern Kentucky and its program is similar to Arkansas State University. He added he and his wife will be in Jonesboro at least through June 30, 2017.

This item was Read.

COM-16:075

Presentation by Mayor Perrin to Kyle Clemmons, 2016 Rio 4x400 Gold Medalist Winner

Sponsors: Mayor's Office

This item was Filed

5. CONSENT AGENDA

Approval of the Consent Agenda

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

Aye: 11 - Darrel Dover; Ann Williams; Charles Frierson; Chris Moore; John Street; Mitch Johnson; Gene Vance; Chris Gibson; Rennell Woods; Todd Burton and Robert Long

Absent: 1 - Charles Coleman

MIN-16:116

Minutes for the City Council meeting on September 6, 2016

Attachments: [Minutes](#)

This item was PASSED on the consent agenda.

RES-16:113

A RESOLUTION REQUESTING FREE UTILITY SERVICES FROM CITY WATER AND LIGHT FOR A WELCOME TO JONESBORO SIGN

Sponsors: Engineering

This item was PASSED on the consent agenda.

Enactment No: R-EN-101-2016

RES-16:114

A RESOLUTION EXPRESSING THE WILLINGNESS OF THE CITY OF JONESBORO TO MAINTAIN THE TRAFFIC SIGNAL INSTALLED IN THE FOLLOWING PROJECT: JOB 100822 HENSON RD. RR SIGNAL UPGRADE & TRAFFIC SIGNAL (JONESBORO) (S)

Sponsors: Engineering

This item was PASSED on the consent agenda.

Enactment No: R-EN-102-2016

RES-16:120

A RESOLUTION AUTHORIZING THE CITY OF JONESBORO TO ENTER INTO AN AGREEMENT WITH THE EAST ARKANSAS PLANNING AND DEVELOPMENT DISTRICT FOR THE 2015 GENERAL IMPROVEMENT FUNDS (GIF) FOR THE MIRACLE LEAGUE PROJECT

Sponsors: Grants

Attachments: [Grant 20155906 - Miracle League - 08162016](#)

This item was PASSED on the consent agenda.

Enactment No: R-EN-103-2016

RES-16:124

A RESOLUTION TO ENTER INTO A MEMORANDUM OF UNDERSTANDING AGREEMENT WITH MID-SOUTH HEALTH SYSTEMS TO COLLABORATE IN THE REHABILITATION ACTIVITIES FOR RESIDENTIAL FACILITIES FOR THE 2016 CDBG ACTION PLAN

Sponsors: Grants

Attachments: [MOU for MidSouth Health](#)

This item was PASSED on the consent agenda.

Enactment No: R-EN-104-2016

RES-16:125

A RESOLUTION TO ENTER INTO A MEMORANDUM OF UNDERSTANDING AGREEMENT WITH FOUNDATION CARE, LLC (DAVID E. PURYEAR CENTER) TO COLLABORATE IN THE REHABILITATION ACTIVITIES FOR THE FACILITY IMPROVEMENTS FOR THE 2016 CDBG ACTION PLAN

Sponsors: Grants

Attachments: [MOU for Foundation Care, LLC.](#)

This item was PASSED on the consent agenda.

Enactment No: R-EN-105-2016

RES-16:127

A RESOLUTION AUTHORIZING THE ENTRY INTO AN AGREEMENT TO ISSUE BONDS FOR THE PURPOSE OF SECURING AND DEVELOPING INDUSTRIAL FACILITIES WITHIN THE CITY OF JONESBORO, ARKANSAS, TO BE LEASED TO FRITO-LAY, INC., PURSUANT TO THE AUTHORITY OF THE LAWS OF THE STATE OF ARKANSAS, INCLUDING PARTICULARLY AMENDMENT 65 TO THE ARKANSAS CONSTITUTION AND THE MUNICIPALITIES AND COUNTIES INDUSTRIAL DEVELOPMENT REVENUE BOND LAW.

Attachments: [Notice of Public Hearing \(Frito-Lay\)](#)
[PILOT Agreement \(Frito-Lay\)](#)
[Agreement to Issue Bonds \(Frito-Lay\)](#)

This item was PASSED on the consent agenda.

Enactment No: R-EN-106-2016

6. NEW BUSINESS**ORDINANCES ON FIRST READING****ORD-16:058**

AN ORDINANCE AMENDING APPENDIX 7 OF THE STORMWATER DRAINAGE DESIGN MANUAL

Sponsors: Engineering

Attachments: [ARR50000 - 2021](#)

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

Councilman Street asked if the ordinance is urgent. Mayor Perrin answered no, that it doesn't expire until October 31st.

A motion was made by Councilman John Street, seconded by Councilman Mitch Johnson, to Waive Second Reading . The motion PASSED with the following vote.

Aye: 11 - Darrel Dover;Ann Williams;Charles Frierson;Chris Moore;John Street;Mitch Johnson;Gene Vance;Chris Gibson;Rennell Woods;Todd Burton and Robert Long

Absent: 1 - Charles Coleman

ORD-16:059

AN ORDINANCE AMENDING CHAPTER 112 OF THE JONESBORO MUNICIPAL CODE

Sponsors: Engineering

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

A motion was made by Councilman John Street, seconded by Councilman Chris Moore, to Waive Second Reading . The motion PASSED with the following vote.

Aye: 11 - Darrel Dover;Ann Williams;Charles Frierson;Chris Moore;John Street;Mitch Johnson;Gene Vance;Chris Gibson;Rennell Woods;Todd Burton and Robert Long

Absent: 1 - Charles Coleman

ORD-16:062

AN ORDINANCE ADOPTING BY REFERENCE THE REPETITIVE LOSS AREA ANALYSIS (RLAA), CONSISTENT WITH THE NATIONAL FLOOD INSURANCE PROGRAM (NFIP) COMMUNITY RATING SYSTEM (CRS) REQUIREMENTS

Sponsors: Engineering

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

Councilman Street asked if the ordinance was an emergency. City Engineer Craig Light indicated it was not urgent.

A motion was made by Councilman John Street, seconded by Councilman Mitch Johnson, to Waive Second Reading . The motion PASSED with the following vote.

Aye: 11 - Darrel Dover; Ann Williams; Charles Frierson; Chris Moore; John Street; Mitch Johnson; Gene Vance; Chris Gibson; Rennell Woods; Todd Burton and Robert Long

Absent: 1 - Charles Coleman

ORD-16:064

AN ORDINANCE TO AUTHORIZE THE ISSUANCE OF INDUSTRIAL DEVELOPMENT REVENUE BONDS UNDER THE MUNICIPALITIES AND COUNTIES INDUSTRIAL DEVELOPMENT REVENUE BOND LAW FOR THE PURPOSE OF SECURING AND DEVELOPING INDUSTRY; TO AUTHORIZE THE SALE OF THE BONDS AND THE APPROVAL OF A BOND PURCHASE AGREEMENT AND PAYMENT IN LIEU OF TAXES AGREEMENTS IN CONNECTION THEREWITH; TO AUTHORIZE THE EXECUTION AND DELIVERY OF A TRUST INDENTURE SECURING THE BONDS; TO AUTHORIZE AND PRESCRIBE CERTAIN MATTERS PERTAINING TO THE PROJECT, THE ACQUISITION, CONSTRUCTION, AND EQUIPPING THEREOF, AND THE FINANCING THEREOF; TO AUTHORIZE THE EXECUTION AND DELIVERY OF LEASE AGREEMENTS RELATING TO THE PROJECT; TO DECLARE AN EMERGENCY; AND FOR OTHER PURPOSES.

Attachments: [PILOT Agreement \(FMH Conveyors\) \(2\)](#)
[PILOT Agreement \(HMD Jonesboro\)](#)
[Recognition Nondisturbance and Attornment Agreement - FMH](#)
[Recognition Nondisturbance and Attornment Agreement - HMD](#)
[Trust Indenture -- FMH HMD](#)
[Bond Purchase Agreement - FMH HMD](#)
[Lease Agreement \(FMH\)](#)
[Lease Agreement \(HMD\)](#)

Mayor Perrin stated he spoke with Attorney Michele Allgood. She explained the company is applying for a grant, so they would like the Council to adopt the ordinance tonight.

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

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

After adoption of the ordinance, Councilman Street motioned, seconded by Councilman Johnson, to adopt the emergency clause. All voted aye.

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

Aye: 11 - Darrel Dover; Ann Williams; Charles Frierson; Chris Moore; John Street; Mitch Johnson; Gene Vance; Chris Gibson; Rennell Woods; Todd Burton and Robert Long

Absent: 1 - Charles Coleman

Enactment No: O-EN-048-2016

ORD-16:065

AN ORDINANCE ABANDONING 10' OF 15' UTILITY EASEMENT ALONG REAR PROPERTY LINE FOR 25 LINEAL FEET LOCATED AT 2217 MASTERS DRIVE AS REQUESTED BY CHARLES & MELINDA PORTER

Attachments: [Extra documentation](#)
[Petition](#)
[Plats](#)
[Utility Letters](#)
[Engineering & Planning Letter](#)

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

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

Aye: 11 - Darrel Dover;Ann Williams;Charles Frierson;Chris Moore;John Street;Mitch Johnson;Gene Vance;Chris Gibson;Rennell Woods;Todd Burton and Robert Long

Absent: 1 - Charles Coleman

ORD-16:066

AN ORDINANCE TO AMEND CHAPTER 117, KNOWN AS THE ZONING ORDINANCE PROVIDING FOR CHANGES IN ZONING BOUNDARIES FOR PROPERTY LOCATED AT 3701 E. JOHNSON AS REQUESTED BY STONEBRIDGE CONSTRUCTION

Attachments: [rezoning plat.pdf](#)
[Staff Summary RZ 16-21 3710 East Johnson Ave - City Council.pdf](#)
[3701 E Johnson Consent Order.pdf](#)
[3701 East Johnson Bldg 1-Permit Set.pdf](#)
[Aerial View of Location.pdf](#)
[Appeal Letter filed 05-29-12.pdf](#)
[Application.pdf](#)
[Legislation Details \(With Text\).pdf](#)
[MAPC Record of Proceedings.pdf](#)
[Plat of Survey.pdf](#)
[Photographs from July 17, 2012, meeting.pdf](#)

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

City Attorney Carol Duncan explained the ordinance says “3710 E. Johnson” which conflicts with the property description and consent orders that say “3701 E. Johnson”. Ms. Duncan explained she assumes it is supposed to be 3701 because that is what the property description shows.

Councilman Frierson motioned, seconded by Councilman Moore, to amend the ordinance to reflect “3701 E. Johnson”. All voted aye.

Councilman Moore asked if the judge’s order is binding on the council. Ms. Duncan explained the rezoning the court did rezoned the entire property and had a list of allowable uses on the property. What the applicants are asking to do is to amend the allowable uses. Her opinion is the council can make that decision. If the court disagrees, then they can appeal it back to circuit court. But, she doesn’t think the court wants to be in the position of amending the city’s zoning ordinance forever.

Stacy Schratz, 3104 Maplewood Terrace, stated she has other neighbors who wanted to be here tonight, but weren’t able to make it because of the capacity problems. According to what she read on the MAPC documents she believes the address is supposed to be 3710, not 3701. She explained her and her neighbors met

with the property owners and let them know they would not fight the limited use overlay as long as during the time he owned the property he would try to rezone it to a lesser restriction. The property owner has went back on that deal. She added there have been severe drainage issues. A dentist office was there for about a week and then left. St. Bernard's now has an urgent care there. The flooding has been a mess and has caused businesses to move out. She is sorry he has problems renting out the property, but she doesn't think the property owners on Maplewood Terrace should have to pay for it. Ms. Schratz noted they have families with children that are in their neighborhood. She doesn't think that just because he can't rent his property out that he should be allowed to have lesser restrictions. She doesn't think this should be approved. The business owner has done a terrible thing by making them a promise and then going back on that. She asked the council to consider not approving this.

Councilman Moore asked what the current uses are. Councilman Vance stated the property owners are trying to add retail. Ms. Schratz noted that retail could mean a 24/7 business. She also added she spoke with Planner Jonathan Smith and was informed the rezoning sign was supposed to be put up on the property prior to the MAPC meeting. The sign was not put up prior to the MAPC meeting on September 13th, which she also thinks is unacceptable. She stated it was like the property owner didn't want the neighborhood to know what was going on.

Ms. Duncan questioned the address. Ms. Schratz reiterated on the MAPC documentation it states 3710 East Johnson. City Planner Derrel Smith explained there are numerous addresses on the plat. Councilman Vance stated it cannot be an even number, it must be an odd number. Mr. Smith further explained the buildings on the property have already been built. It was a C-3 limited use overlay. The applicants are asking to change daycare, limited to daycare, general, add retail and take away library. Ms. Duncan asked about the sign issue Ms. Schratz brought up and noted it is a requirement that the sign be put up before the MAPC meeting. Mr. Smith answered he has no verification that the sign was put up before the meeting. Ms. Schratz added she and her neighbors can sign documentation stating the sign was not erected before the MAPC meeting. She did not find out about the rezoning until last night.

John Hatcher, 3105 Maplewood Terrace, lives next door to the property in question. He stated he doesn't believe the city council has the authority to overturn a circuit court order.

Councilman Moore asked what the restrictions were concerning the daycare. Ms. Duncan stated she doesn't think they did that because it was ordered by the court. Mr. Smith explained the limited daycare was limited to six children with no limit to hours. But, a general daycare will permit as many children as the state will allow.

Bob Hankins, 3108 Maplewood Terrace, asked that the rezoning be turned down. He asked that they go back to the original agreement they had with the property owner several years ago.

Ms. Duncan noted she has a procedural concern if the sign didn't go up when it was supposed to. She asked if someone was there who could answer the question. She doesn't think MAPC would've moved forward with the rezoning if the sign didn't go up before the meeting.

Councilman Street asked that the ordinance be postponed temporarily until they can ascertain when the sign was put up. Councilman Moore added he would also like clarification regarding the address of the property. He also questioned whether there's a procedural issue if the wrong address was published with the MAPC.

City Clerk Donna Jackson noted that when an ordinance is postponed temporarily there's usually a date stated for when it comes back. It was decided to hold the ordinance at first reading.

A motion was made by Councilman John Street, seconded by Councilman Chris Moore, that this matter be Held at one reading . The motion PASSED with the following vote.

Aye: 11 - Darrel Dover; Ann Williams; Charles Frierson; Chris Moore; John Street; Mitch Johnson; Gene Vance; Chris Gibson; Rennell Woods; Todd Burton and Robert Long

Absent: 1 - Charles Coleman

7. UNFINISHED BUSINESS

ORDINANCES ON SECOND READING

ORD-16:057

AN ORDINANCE REPEALING A CERTAIN ORDINANCE ACCEPTING LANDS ANNEXED TO THE CITY OF JONESBORO, ARKANSAS, BY ORDER OF THE COUNTY COURT OF CRAIGHEAD COUNTY, ARKANSAS; ASSIGNING SAID ANNEXED TERRITORIES TO WARD 2; DECLARING THE ZONING FOR THE ANNEXED TRACT; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES

Attachments: [Survey](#)
[1989 Order of Annexation](#)
[Ordinance 2242](#)
[County Judge's Letter](#)
[Letter from CWL](#)
[Aerial Photo](#)
[Letter Requesting Deannexation](#)

Councilman Frierson stated he had an amendment. The particular state law quoted in the ordinance needs to be changed to 14-40-1802. The language states "Alternately, that the City Council is resolved to request that the territory be excluded from the limits of the municipal corporation and remitted back to the county." He noted the previous statute that was quoted had to do with an election that had to be held. This statute is the alternate option to that.

Councilman Frierson motioned, seconded by Councilman Street, to amend the ordinance to reflect 14-40-1802. All voted aye.

Councilman Street asked if there was any rush on the ordinance. Mayor Perrin stated he doesn't see any rush.

This ordinance was Held at second reading.

ORD-16:063

AN ORDINANCE AUTHORIZING THE CITY OF JONESBORO TO AMEND THE 2016 ANNUAL BUDGET FOR THE POLICE DEPARTMENT

Sponsors: Police Department

Attachments: [Exhibit A.pdf](#)

Councilman Dover explained at the last Finance Committee meeting the Clerk's Office brought to their attention that ORD-16:012 may not have been legally adopted by the city. He asked for a written legal opinion on how to get that corrected and what information would be needed for future adjustments to the pay plan as far as what documents need to go into it. He noted that ordinance was passed in February. He further explained it was brought to their attention that the ordinance may not have been legally adopted because all of the details were not in the ordinance.

City Attorney Duncan stated that wasn't her understanding of the issue. Her understanding is the city never adopted the 2016 Johanson Plan, so the city is still operating under the 2015 Johanson Plan. In order to adopt the 2016 plan, the city will need to pass an ordinance adopting that particular plan. Councilman Dover asked if Ms. Duncan could write the ordinance. Ms. Duncan answered yes. She noted it will have to be retroactive if her understanding of the situation is correct.

Councilman Dover reiterated he wanted an opinion as to what documents need to be included in any future amendments. It is his understanding the documents were not in the ordinance. Ms. Duncan explained her understanding of the situation is that there was some discussion to adopt the 2016 Johanson Plan, which differed slightly from the 2015 Plan. During that same discussion, it was noted to her that the plan was about to be amended. Her opinion was to do both at the same time because she thought it would be silly to adopt a 2016 Plan then amend it two weeks later. But, at the time she thought the amendment would be coming imminently, yet now it's been several months.

Ms. Duncan stated no matter what happens the city needs to adopt that plan. But, it's water under the bridge if the city has already been paying people under the 2016 Plan. She noted that the city is still operating under the 2015 Johanson Plan. Councilman Dover stated they should correct the plans first before moving on. Councilmen Street and Johnson disagreed. Ms. Duncan answered not necessarily because the city is still operating under the 2015 Pay Plan which can be amended. She explained they can clean up both and make it retroactive. She doesn't think the 2016 Plan has to be adopted in order to amend the 2015 Plan that the city is currently operating under since the city continues to operate under the 2015 Plan until a new plan is adopted. She clarified if they don't adopt the 2016 Plan it's not like the city doesn't have a pay plan. Councilman Dover stated the city has a plan but people haven't been paid legally. She reiterated the city is operating under the 2015 Plan and that can be changed by the proposal tonight or by adopting the 2016 Plan. Councilman Dover stated employees are being paid under the 2016 Pay Plan that is not legally adopted. The city should adopt the 2016 Plan then amend it for this proposal. Ms. Duncan answered not necessarily in that order. But, it will have to be made retroactive to January 1 to cover those people who have been paid illegally.

Councilman Street motioned, seconded by Councilman Johnson, to suspend the rules and waive the second and third reading.

Councilman Vance asked where the Salary Administration Plan is that addresses the critical workforce issues in the Police Department. He noted it is not in the ordinance. This ordinance only adopts money, but doesn't adopt a salary plan. They haven't seen a salary plan.

Police Chief Rick Elliott explained when the committee put together the plan and Finance made the spreadsheet. That paperwork showing the numbers have been given to the Council members. Councilman Vance stated he has that document, but it's not referred to in the ordinance. Councilman Dover asked isn't that what was wrong with the previous ordinance he asked about earlier in the meeting. They had a

presentation attached to the ordinance, but that wasn't enough. City Clerk Donna Jackson explained her comments were that the city adopted a plan separate from the pay scale. The plan has to be adopted and in order for everyone to understand what is going on. Councilman Dover agreed. Ms. Duncan added a PowerPoint presentation is not legislation. Ms. Jackson further explained you can't email something to the City Council and consider that passed.

Councilman Moore stated he thought they were moving towards having a step plan for all city employees and there would be a Finance meeting today to move that issue forward. Councilman Dover explained some committee members didn't show up, but that was the intention of the Finance meeting this afternoon.

Councilman Street explained the issue on the floor tonight is for the police and it has been held up long enough. Councilman Frierson agreed. Councilman Vance stated he is all for appropriating the money, but the ordinance does not have the plan included. Ms. Duncan explained she thinks the ordinance is legal to appropriate money to the Police Department budget. If the Council wants more information about how the money is being utilized within the Police Department budget, then that is something that can be asked for. But, it's her understanding they were provided that money. Councilman Frierson noted the money will go into the Police Department's budget under the 2015 Plan until the city has a new plan.

City Accountant Mike Burroughs, 1412 Locust, stated he has almost 40 years in municipal government concerning finance. He explained anytime expenditures are increased you need to look at where you're going to get the money. He stated he is not against or for any plan, but he just wanted the Council to weigh the risk. If the money isn't there, then the people need to know expenditures may get caught that could result in freezing the plan, a hiring freeze or layoffs. He cautioned the Council to look at the numbers, consider the risk and make the right decision. He stated he doesn't have a crystal ball. He expressed concern about not being able to afford the plans. We could afford them this year and maybe next year, but they don't know what sales tax revenues are going to do without a sales tax increase. Drastic cuts may have to be made. They have to consider capital expenditures including police cars, backhoes, and sanitation trucks. He has nothing against getting raises. Mr. Burroughs explained he doesn't think they've had one Council member come to the Finance Department and ask questions. This year revenues are running about 4%, but we're due for a recession and the city has to be prepared for those things. He asked the Council to take their time and understand what they're doing. If they don't understand, then go to a professional and ask what they think. He asked them to do their due diligence before they vote for something they don't know anything about.

Councilman Frierson and Councilman Johnson stated they know all they need to know. Councilman Johnson said they've been looking at it since May and are quite aware of what they're doing. Councilman Street said he came to the Council 14 years ago and had the same problem. The city has to have public safety, without it the city will not exist. Mr. Burroughs stated he doesn't disagree with Councilman Street. He just asked they look at five years down the road and question whether the city will have the money to make the payments. Councilman Street noted the revenues are up 5% and the Police Department saved \$700,000 last year, which together will more than pay for the plan.

Councilman Woods stated he wants to make sure they get the Johanson Plan adopted right as they go forward. Councilman Frierson answered they will get it cleared up. Ms. Duncan explained she doesn't think they messed up by not adopting it; rather, they messed up by starting to pay people under it without adopting it.

Councilman Dover clarified tonight they are just voting on appropriating the money and next they will come back to decide how to distribute it. Councilman Johnson answered no. At the last Council meeting when the ordinance was introduced it had the attachments with it and that's how it will be distributed. For anyone to say they haven't seen the plan, then they must not have been here two weeks ago to receive the plan. Ms. Duncan recommended entering the plan into Legistar so there's no confusion about it.

Mayor Perrin explained the ordinance is just to appropriate money, but the ordinance does not say anything about the plan so the money could be used to buy vehicles. He noted the ordinance's title says nothing about the pay plan. Ms. Duncan disagreed, noting the body of the ordinance specifies the money will be used for salaries. She read the ordinance in its entirety. She explained the ordinance specifies the money will be used for salaries and indicates the Council was presented with a plan. She reiterated her recommendation to attach the plan to the ordinance. But, she added if the Council doesn't know what they're voting on then they need to make that clear. Ms. Jackson explained this is why at the Finance meeting she brought up the issue of documentation not being provided to her office. This is a prime example of why documentation should be provided.

Ms. Duncan also explained the difference is no one in the Police Department has been paid a higher salary without this being approved as opposed to the 2016 Pay Plan which people have been paid a higher salary without it being approved. That's the big difference.

Councilman Frierson added the money will go into the 2015 Plan and will be disbursed accordingly. Further discussion was held concerning the 2015 Plan.

Ms. Duncan recommended someone amend the ordinance to attach the plan that was presented two weeks ago.

Councilman Johnson motioned, seconded by Councilman Street, to amend the ordinance to attach the police compensation pay plan to show how the money authorized in the ordinance will be spent. All voted aye.

Councilman Street motioned, seconded by Councilman Johnson, to suspend the rules and waive the second and third readings. All voted aye, with the exception of Councilmen Dover and Gibson.

After adoption of the ordinance, Councilman Johnson motioned, seconded by Councilman Street, to adopt the emergency clause. All voted aye.

Mayor Perrin noted the Police Department has now been taken care of, so they will next take care of the non-uniform employees. Councilman Johnson asked for that recommendation to come back in the next two weeks. Councilman Burton added that the Fire Department be included in that.

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

Aye: 10 - Ann Williams; Charles Frierson; Chris Moore; John Street; Mitch Johnson; Gene Vance; Chris Gibson; Rennell Woods; Todd Burton and Robert Long

Nay: 1 - Darrel Dover

Absent: 1 - Charles Coleman

Enactment No: O-EN-049-2016

8. MAYOR'S REPORTS

Mayor Perrin reported on the following items:

He thanked everyone who participated in the recent Touch a Truck event. The city had 25 vehicles at the event.

The Parks Department had the Harvest Cup soccer event last weekend with 55 teams in attendance. He thanked Riceland Foods for sponsoring the event.

They are halfway finished with the ditch work on Higginbottom Creek.

The Ward 6 meeting will be next Monday. That will be the last ward meeting. There has been light attendance, but they will make a sheet of what came out of each meeting.

Jonesboro was awarded a JAG Grant for \$31,000. This will be for scanners and printers for 41 police vehicles in order to start the e-ticket program. \$16,000 was for software to assist with accidents.

Next week, he, along with Grants Administrator Kimberly Marshall and Chief Financial Officer Suzanne Allen will be in Washington, D.C. for four days. They have appointments set up to discuss grants that have been applied for through the DOT, EPA, as well as other organizations. They are particularly interested in the grants related to Opticoms now that the program is regional.

COM-16:071

Airport financial report for August, 2016

Sponsors: Municipal Airport Commission

Attachments: [Financial Report](#)

This item was Filed.

9. CITY COUNCIL REPORTS

Councilman Street thanked everyone who was concerned about the police pay. He added he is glad it has finally been resolved and that the officers deserve the plan.

Councilman Johnson noted the Fire Department shouldn't be forgotten with the pay proposals. He stated Johanson may be a guideline, but they need to think about what the employees are worth to the city.

Councilman Burton asked that the special working meeting be called regarding the City Council's rules and procedures concerning the zoning requirements to ensure the city is doing what the courts want. He asked for a meeting to be held on Tuesday, September 27, 2016, at 5:00 p.m. He noted Ms. Duncan asked for recommendations to be sent to her so she can start working on putting things together. Ms. Duncan added she has already been working with the new city planner, but they haven't received much feedback from the council members.

Councilman Moore questioned whether there was an update concerning the old ice plant. Ms. Duncan explained the property owners got rid of some of the existing stuff

from last time. It is her understanding a portion of what was there has been cleaned up, but in the meantime more things have arrived on the property. Further discussion was held concerning the property. Mr. Bill Smith, a resident in the area, stated the fence is back up, but there is no fence where the trailers are. The city required a fence, but there are some areas where there is still no fence. Ms. Duncan explained the city filed a reply to their brief with the court of appeals just prior to the last council meeting. There is a 15-day reply window, which should be up any time now. The city will then have to wait on the court of appeals to make a ruling. That ruling deals with the condemnation of the building, while the city is working on cleaning up the exterior. Councilman Moore asked for an update on the property at the next council meeting from Code Enforcement.

10. PUBLIC COMMENTS

Phillip Cook, 5216 Richardson Drive, thanked the council for the police pay plan approval. He stated those officers deserve the pay. He noted other employees deserve the pay as well.

Police Chief Rick Elliott, speaking on behalf of the Police Department, stated he is appreciative of the vote tonight. He is glad this issue is behind them now and hopes the rest of the city can move forward with a pay plan. He thanked Councilman Johnson, the mayor and the rest of the council for the work they've done.

11. ADJOURNMENT

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

Aye: 11 - Darrel Dover; Ann Williams; Charles Frierson; Chris Moore; John Street; Mitch Johnson; Gene Vance; Chris Gibson; Rennell Woods; Todd Burton and Robert Long

Absent: 1 - Charles Coleman

_____ **Date:** _____

Harold Perrin, Mayor

Attest:

_____ **Date:** _____

Donna Jackson, City Clerk