



City of Jonesboro

900 West Monroe
Jonesboro, AR 72401

Meeting Minutes City Council

Thursday, December 18, 2008

6:00 PM

Council Chambers

FINANCE COMMITTEE MEETING AT 4:00 P.M.

PUBLIC WORKS SPECIAL CALLED MEETING AT 5:00 P.M.

PUBLIC SAFETY COMMITTEE MEETING AT 5:15 P.M.

Councilman McCall motioned, seconded by Councilwoman Williams, for Councilman Moore to preside over the meeting due to the absence of Mayor Formon and President Pro Temp Judy Furr. All voted aye.

1. Call to order by the Mayor at 6:30 P.M.

Councilman Chris Moore called the meeting to order.

2. Pledge of Allegiance and Invocation

3. Roll Call by the City Clerk

Present 11 - Darrel Dover;Faye McCall;Ann Williams;Charles Frierson;Jim Hargis;Chris Moore;Harold Perrin;John Street;Mitch Johnson;Tim McCall and Cecil Province
Absent 1 - Judy Furr

4. Special Presentations

5. Consent Agenda

Approval of the Consent Agenda

A motion was made by Councilman John Street, seconded by Councilman Darrel Dover, to Approve the Consent Agenda with the exception of RES-08:226. A motion was made that these files be approved by consent voice vote

Aye: 11 - Darrel Dover;Faye McCall;Ann Williams;Charles Frierson;Jim Hargis;Chris Moore;Harold Perrin;John Street;Mitch Johnson;Tim McCall and Cecil Province

Absent: 1 - Judy Furr

MIN-08:240 Minutes for the City Council meeting on December 2, 2008.

Attachments: [Minutes](#)

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

RES-08:198 RESOLUTION OF THE CITY COUNCIL OF JONESBORO, ARKANSAS, CERTIFYING LOCAL GOVERNMENT ENDORSEMENT OF BUSINESS TO PARTICIPATE IN THE TAX BACK PROGRAM (AS AUTHORIZED BY SECTION 15-4-2706(d) OF THE CONSOLIDATED INCENTIVE ACT OF 2003).

Sponsors: Mayor's Office and Northeast Arkansas Industrial Development Commission

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

Enactment No: R-EN-159-2008

RES-08:210 A RESOLUTION TO THE CITY OF JONESBORO, ARKANSAS REQUESTING FREE UTILITIES AT 200 CATE STREET AND 300 MADISON STREET FOR THE CITY OF JONESBORO

Sponsors: Engineering

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

Enactment No: R-EN-160-2008

RES-08:213 A RESOLUTION TO THE CITY OF JONESBORO, ARKANSAS AUTHORIZING THE MAYOR AND THE CITY CLERK TO ACCEPT THE PROPERTY DONATED BY CRAIGHEAD COUNTY SOLID WASTE DISPOSAL AUTHORITY.

Sponsors: Public Works

Attachments: [Legacy Landfill Deed](#)

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

Enactment No: R-EN-161-2008

RES-08:218 A RESOLUTION OF THE CITY COUNCIL FOR THE CITY OF JONESBORO AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE A LOCATION AGREEMENT FOR THE "WELCOME TO JONESBORO" SIGN ON HWY. 49 NORTH

Sponsors: Mayor's Office

Attachments: [Location Agreement for Signage](#)
[Crego Review for Signage](#)

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

Enactment No: R-EN-162-2008

RES-08:219 A RESOLUTION TO AUTHORIZE PURCHASE AND ACQUISITION OF REAL PROPERTY FOR CONSTRUCTION OF DETENTION POND AS RECOMMENDED BY THE CITY'S CONSULTING ENGINEERS; AND

Sponsors: Mayor's Office

Attachments: [Resolution - 604 E Highland.pdf](#)
[Mayor Letter - 604 E Highland.pdf](#)
[Real Estate Contract - 604 E Highland.pdf](#)
[Estimate - 604 E Highland.pdf](#)
[Letter From Pilgrim Lutheran Church](#)

This item was PASSED on the consent agenda.

Enactment No: R-EN-163-2008

RES-08:221 RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JONESBORO, ARKANSAS AUTHORIZING THE MAYOR AND CITY CLERK TO PURCHASE A SANITARY SEWER EASEMENT FOR NEW FIRE STATION #6

Sponsors: Mayor's Office and Fire Department

Attachments: [Fire #6 Sewer Easement Docs](#)

This item was PASSED on the consent agenda.

Enactment No: R-EN-164-2008

RES-08:224 A RESOLUTION TO ACCEPT AN ECONOMIC DEVELOPMENT ADMINISTRATION PUBLIC WORKS AND ECONOMIC DEVELOPMENT FACILITIES ASSISTANCE GRANT TO SUPPORT CONSTRUCTION OF A RAIL SPUR AND ROAD IMPROVEMENTS TO EXPAND THE CRAIGHEAD TECHNOLOGY INDUSTRIAL PARK

Sponsors: Northeast Arkansas Industrial Development Commission and Mayor's Office

Attachments: [EDA Grant Forms](#)

This item was PASSED on the consent agenda.

Enactment No: R-EN-165-2008

RES-08:226 A RESOLUTION TO THE CITY OF JONESBORO, ARKANSAS TO CONTRACT WITH STUCK ASSOCIATES ARCHITECTS FOR DESIGN OF A NEW FACILITY FOR STREETS AND SANITATION

Sponsors: Mayor's Office

Attachments: [Contract](#)

Mayor-elect Perrin stated he would like to meet with the company regarding re-negotiating the contract. He explained he wanted to make it clear the process would not be slowed down and that the facilities committee is still working on finding property for the building. He asked for the resolution to be held until January 6, 2009. Councilman Moore noted the presentation for the building won't be in until January 10, 2009.

Councilman Charles Frierson motioned, seconded by Councilman Jim Hargis, that this resolution be TABLED until January 6, 2009. The motion PASSED by unanimous vote.

Aye: 11 - Darrel Dover; Faye McCall; Ann Williams; Charles Frierson; Jim Hargis; Chris Moore; Harold Perrin; John Street; Mitch Johnson; Tim McCall and Cecil Province

Absent: 1 - Judy Furr

6. New Business

Reschedule public hearing that was to be held on Tuesday, December 16, 2008

Hearing regarding the abandonment of a 30 foot road easement located north of Arkansas Highway 49B (Johnson Avenue) as requested by James Carr and Willis Gray

Councilman Dover motioned, seconded by Councilman Street, to reschedule the hearing for 6:15 p.m. on January 6, 2009. All voted aye.

Ordinances on First Reading

ORD-08:105 AN ORDINANCE TO AMEND TITLE 14 KNOWN AS THE ZONING ORDINANCE PROVIDING FOR THE CHANGE IN ZONING BOUDARIES FROM RESIDENTIAL R-1 TO COMMERCIAL C-3 LUO SPECIALTY RETAIL TOY AND GIFT SHOP LOCATED AT 627 WEST PARKER ROAD AS REQUESTED BY MARY HORNE

Attachments: [Application for a Zoning Ordinance Map Amendment](#)

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

Councilman Street questioned whether there had been any objections to the rezoning. City Planner Otis Spriggs answered no.

A motion was made by Councilman John Street, seconded by Councilman Charles Frierson, that this matter be Placed on second reading . The motion PASSED by an unanimous vote

Aye: 11 - Darrel Dover;Faye McCall;Ann Williams;Charles Frierson;Jim Hargis;Chris Moore;Harold Perrin;John Street;Mitch Johnson;Tim McCall and Cecil Province

Absent: 1 - Judy Furr

ORD-08:106 ORDINANCE TO APPROVE CONSULTING CONTRACT WITH PROFESSIONAL MANAGEMENT CONSULTING INC. (PMCI), AUTHORIZING THE CITY TO ENTER INTO A CONTRACT WITH AN ALDERMAN

Sponsors: City Council

Attachments: [Contract](#)

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

Councilman Street noted Mayor-elect Perrin did not ask for the pay, but the same offer was made to Mayor Formon after he was elected in 2004.

Mayor-elect Perrin thanked the Council for their offer, but he declined the proposed pay. He stated he appreciated the proposal, but the time he has spent working in December would be a donation of his time.

A motion was made by Councilman John Street, seconded by Councilman Jim Hargis, that this matter be Postponed Indefinitely . The motion PASSED by an unanimous vote

Aye: 11 - Darrel Dover;Faye McCall;Ann Williams;Charles Frierson;Jim Hargis;Chris Moore;Harold Perrin;John Street;Mitch Johnson;Tim McCall and Cecil Province

Absent: 1 - Judy Furr

Resolutions To Be Introduced

RES-08:181 A RESOLUTION TO Condemn property at 809 W Monroe

Sponsors: Code Enforcement

Attachments: [Letter from Ronnie Shaver](#)
[CONDEMNATION CHECKLIST.doc](#)
[809 Monroe Building Inspection Report.doc](#)
[100_0186.JPG](#)
[100_0189.JPG](#)
[100_0191.JPG](#)
[100_0192.JPG](#)

No opposition was voiced for the condemnation.

A motion was made by Councilman John Street, seconded by Councilman Jim Hargis, that this Resolution be Passed. The motion CARRIED by a Voice Vote.

Aye: 11 - Darrel Dover;Faye McCall;Ann Williams;Charles Frierson;Jim Hargis;Chris Moore;Harold Perrin;John Street;Mitch Johnson;Tim McCall and Cecil Province

Absent: 1 - Judy Furr

Enactment No: R-EN-166-2008

RES-08:205 A RESOLUTION TO Condemn property at 2401 Boydston

Sponsors: Code Enforcement

Attachments: [2401 Boydston Building Inspection Report.doc](#)
[CONDEMNATION CHECKLIST.doc](#)
[100_0569.JPG](#)
[100_0573.JPG](#)
[100_0575.JPG](#)
[100_0578.JPG](#)

No opposition was voiced for the condemnation.

A motion was made by Councilman John Street, seconded by Councilman Mitch Johnson, that this Resolution be Passed. The motion CARRIED by a Voice Vote.

Aye: 11 - Darrel Dover;Faye McCall;Ann Williams;Charles Frierson;Jim Hargis;Chris Moore;Harold Perrin;John Street;Mitch Johnson;Tim McCall and Cecil Province

Absent: 1 - Judy Furr

Enactment No: R-EN-167-2008

RES-08:206 A RESOLUTION TO condemn property at 1029 Hope.

Sponsors: Code Enforcement

Attachments: [CONDEMNATION CHECKLIST.doc](#)
[1029 Hope St Building Inspection Report.doc](#)
[100_0485.JPG](#)
[100_0484.JPG](#)
[100_0483.JPG](#)
[100_0482.JPG](#)

No opposition was voiced for the condemnation.

A motion was made by Councilman John Street, seconded by Councilman Mitch Johnson, that this Resolution be Passed. The motion CARRIED by a Voice Vote.

Aye: 11 - Darrel Dover;Faye McCall;Ann Williams;Charles Frierson;Jim Hargis;Chris Moore;Harold Perrin;John Street;Mitch Johnson;Tim McCall and Cecil Province

Absent: 1 - Judy Furr

Enactment No: R-EN-168-2008

RES-08:208 A RESOLUTION TO Condemn property at 511 W Forrest

Sponsors: Code Enforcement

Attachments: [CONDEMNATION CHECKLIST.doc](#)
[511 W. Forest Building Inspection Report.doc](#)
[100_3056.JPG](#)
[100_3055.JPG](#)
[100_3054.JPG](#)
[100_3053.JPG](#)

No opposition was voiced for the condemnation.

A motion was made by Councilman John Street, seconded by Councilman Mitch Johnson, that this Resolution be Passed. The motion CARRIED by a Voice Vote.

Aye: 11 - Darrel Dover;Faye McCall;Ann Williams;Charles Frierson;Jim Hargis;Chris Moore;Harold Perrin;John Street;Mitch Johnson;Tim McCall and Cecil Province

Absent: 1 - Judy Furr

Enactment No: R-EN-169-2008

RES-08:209 A RESOLUTION TO Condemn property at 517 E Oak

Sponsors: Code Enforcement

Attachments: [517 E Oak.doc](#)
[517 E. Oak Building Inspection Report.doc](#)
[100_2388.JPG](#)
[100_2386.JPG](#)
[100_2383.JPG](#)
[100_2381.JPG](#)

No opposition was voiced for the condemnation.

A motion was made by Councilman John Street, seconded by Councilman Mitch Johnson, that this Resolution be Passed. The motion CARRIED by a Voice Vote.

Aye: 11 - Darrel Dover;Faye McCall;Ann Williams;Charles Frierson;Jim Hargis;Chris Moore;Harold Perrin;John Street;Mitch Johnson;Tim McCall and Cecil Province

Absent: 1 - Judy Furr

Enactment No: R-EN-170-2008

7. Unfinished Business

Ordinances on Third Reading

ORD-08:099 AN ORDINANCE TO REPEALING ORDINANCE 3641 AND ADOPTING BY REFERENCE A CERTAIN TECHNICAL CODE ENTITLED THE STORMWATER MANAGEMENT REGULATIONS AND THE STORMWATER DRAINAGE DESIGN MANUAL

Sponsors: Engineering

Attachments: [Stormwater Drainage Design Manual - Final](#)
[Stormwater Board Minutes 102308](#)

A motion was made by Councilman John Street, seconded by Councilman Darrel Dover, that this matter be Passed . The motion PASSED by an unanimous vote

Aye: 11 - Darrel Dover;Faye McCall;Ann Williams;Charles Frierson;Jim Hargis;Chris Moore;Harold Perrin;John Street;Mitch Johnson;Tim McCall and Cecil Province

Absent: 1 - Judy Furr

Enactment No: O-EN-078-2008

8. Mayor's Reports

Councilman McCall motioned, seconded by Councilman Dover, to add two resolutions to the agenda. All voted aye.

RES-08:225 A RESOLUTION TO CONTRACT WITH RELATIVITY, INC. FOR DEVELOPMENT AND IMPLEMENTATION OF A WEBSITE THE JONESBORO POLICE DEPARTMENT WITH SPECIFIED WEBSITE ITEMS AND FUNCTIONS

Sponsors: Public Safety Council Committee

Attachments: [SOW JPD Website](#)

Councilman Hargis questioned whether anyone checked into the price for the same services for cities of similar size. Police Chief Michael Yates stated the company is a sole source provider because they are already under contract with Relativity for the records management system, which will be accessed by the proposed website. He explained another company could provide the services, but they would have to manually enter the information from the records management system into the website. He further explained the price is about one-third of what other systems would cost due to the necessary infrastructure already being in place due to the

records management program. He noted the website will be paid for from drug forfeitures, so it will not be of any cost to the taxpayers.

A motion was made by Councilman Darrel Dover, seconded by Councilman Tim McCall, that this Resolution be Passed. The motion CARRIED by a Voice Vote.

Aye: 11 - Darrel Dover;Faye McCall;Ann Williams;Charles Frierson;Jim Hargis;Chris Moore;Harold Perrin;John Street;Mitch Johnson;Tim McCall and Cecil Province

Absent: 1 - Judy Furr

Enactment No: R-EN-171-2008

RES-08:228

A RESOLUTION OF THE CITY COUNCIL FOR THE CITY OF JONESBORO AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE A CONTRACT FOR THE PURCHASE AND INSTALLATION OF NEW TORNADO WARNING SIRENS

Sponsors: Mayor's Office and City Council

Attachments: [SafetyCom Tornado Sirens](#)

Chief Yates explained a vendor that was not the low bidder had expressed concerns about the low bid proposal as to whether or not the low bid proposal met specs. He further explained they found individuals familiar with tornado siren systems to look over the information, who then recommended the low bidder. Councilman Moore noted a representative from the low bid company did speak with the Public Safety Committee to clarify that the proposed system is a fully working system. Discussion was held regarding whether or not the contract should be held until the mayor-elect has taken office.

A motion was made by Councilman Darrel Dover, seconded by Councilman Charles Frierson, that this Resolution be Passed. The motion CARRIED by a Voice Vote.

Aye: 11 - Darrel Dover;Faye McCall;Ann Williams;Charles Frierson;Jim Hargis;Chris Moore;Harold Perrin;John Street;Mitch Johnson;Tim McCall and Cecil Province

Absent: 1 - Judy Furr

Enactment No: R-EN-172-2008

9. City Council Reports

Councilman Street motioned, seconded by Councilman Dover, to add a resolution to the agenda. All voted aye.

RES-08:232

A RESOLUTION TO AMEND RESOLUTION NO. R-EN-073-2008, A CONTRACT WITH ASSOCIATED ENGINEERING AND TESTING LLC TO PROVIDE ENGINEERING SERVICES RELATED TO THE MASTER STREET PLAN

Councilman Street stated the amendment will allow Associated Engineering an extra 100 days for the Master Street Plan project, which will enable them to put together more material for the City. Councilman Moore clarified the 100 days would be effective from the day of the original contract. Councilman Street agreed, stating the project would have a total of 290 days retroactive from the initial date of the contract. He explained the problem was due to not having a notice to proceed issued by the City.

A motion was made by Councilman John Street, seconded by Councilman Tim

McCall, that this Resolution be Passed. The motion CARRIED by a Voice Vote.

Aye: 11 - Darrel Dover;Faye McCall;Ann Williams;Charles Frierson;Jim Hargis;Chris Moore;Harold Perrin;John Street;Mitch Johnson;Tim McCall and Cecil Province

Absent: 1 - Judy Furr

Enactment No: R-EN-173-2008

Councilman Johnson asked for an update regarding the repairs at Strawfloor. City Engineer Craig Light stated the structural repairs have been completed. He explained Dr. Tom Parsons visited the site today and approved the work. He further explained the pipe for the septic tank has been installed and they are waiting on approval from the Health Department regarding the septic system. Mr. Light stated he hopes to get approval tomorrow so the pump can be ordered and set before the end of the year.

Councilwoman McCall thanked the Council and citizens of Jonesboro for allowing her to serve. She also thanked all the public officials. Councilman Moore thanked her for her time, noting she was appointed to the Council.

Councilman Province stated Jonesboro is a great community and he does not intend on fading away after his term is over. He thanked his wife for her support during his time on the Council.

Councilman Hargis stated the neighborhood on North Caraway has requested sidewalks be put in so they can get to Arkansas State easier. He asked for it to be considered in the 2009 budget. Councilman Moore stated he thought they had discussed sidewalks on the west side of North Caraway. Mr. Light stated they have already prepared plans to put in sidewalks on North Caraway from Belt Street to Johnson Avenue. He added the project has been included in their proposed 2009 budget. Councilman Moore then questioned whether the area would be considered for CDBG assistance. Mr. Light stated he would have to meet with Ms. Gayle Vickers to see if it qualifies for assistance. He noted the project is estimated to cost about \$22,000 to \$26,000. Councilwoman Williams agreed, stating she has also received calls from people at ASU with concerns about students walking from North Caraway to the campus.

Councilman Perrin thanked the Street Department for their work getting the streets cleaned up due to the recent bad weather. He stated they worked over 353 hours and put out 1,000 yards of sand. He explained they are working on the budget. He further explained they should have a budget to present to Council members by December 30. He noted the budget will be lean due to the weak economy. Finance Director Jim Barksdale noted the budget doesn't have to be passed until February 1, 2009. Councilman Perrin stated the Vice President of Springbrook met with the administration and the Finance Department, as well as the department heads, this week to discuss concerns with the software. He explained he is hoping to make someone in the IT Department to be a Springbrook specialist and Springbrook will be giving the City approximately \$75,000 worth of free training. He further explained the City is only using about 30% to 35% of the components the City purchased. Mr. Barksdale stated Springbrook has made a commitment to the City to

10. Public Comment

Mr. Heath Harris stated Mr. Thomas White from the Planning Department indicated to him that someone from ATF contacted him concerning Mr. Harris' application for a gun dealer license for his pawn shop on North Culberhouse. He explained he purchased a privilege license from the City. He noted he has had no complaints or negative comments about the application. He further explained Mr. White told him the

property was not properly zoned for the pawn shop. Mr. Harris stated the property has always been used as a retail store, but Mr. White indicated he needs to go before the MAPC to rezone the property. He noted his ATF application is being held up due to the problems with zoning because the MAPC will not meet again until after his application period with ATF is over. He stated he spoke with someone at ATF who told him that she just needs someone from the City of Jonesboro to contact her to let her know the property is okay for retail sales, then the application can go through. Councilman Moore stated he looked at the property, which is located on the corner of Arrowhead Farm Road and North Culberhouse. City Attorney Phillip Crego stated the Council does not have the authority to allow the business to operate in violation of the City's ordinances. City Planner Otis Spriggs stated they are currently working with the owner and he thinks it can be worked out. He noted the owners have made improvements to the property that should not have been done, so they are working to figure out what the zoning should be. Mr. Spriggs stated the retail business is okay and will be approved. He added any change of use should be approved through the Planning Department, which was not done. Discussion was held concerning grandfathering property in due to an annexation. Mr. Harris stated they are not asking to change the zoning; rather, they just need the okay to be sent to the ATF for the application.

Mr. Harold Carter discussed putting in sidewalks around the Grove on North Caraway. He stated he doesn't see why the City should have to pay for the sidewalks when The Grove was supposed to put in sidewalks according to their plans. He asked about the priority of other areas in town that need sidewalks. He objected to The Grove apartments not building the sidewalks and leaving the City to build them. Councilman Hargis noted the sidewalks aren't being built for The Grove; rather, they're being built for everyone who lives on North Caraway. Councilwoman Williams stated she mentioned The Grove apartments to give everyone an idea of the location, but the whole area needs the sidewalks. She added their concern is not with The Grove, but with the students who live in that neighborhood.

Dr. Charles Coleman stated they have been asking for sidewalks on Patrick for the school kids for three years. He asked where that priority is in relation to The Grove. He noted there are kids that are having to walk in the ditches and in the middle of the street because there are no sidewalks. Councilwoman Williams asked for an update concerning the plan for Patrick. Public Works Director Erick Woodruff explained Patrick is scheduled for a widening project to take place in 2010. He further explained Patrick will be widened and sidewalks will be put in. He stated parcel work will need to be done before they can put in sidewalks. He added Race Street is due to be widened as well. Councilman Perrin stated he will send everyone the 5-year Capital Improvement plan in order to answer some of the questions raised by the Council.

Mr. Russell Shoemaker, Pastor at Pilgrim Lutheran Church, read a letter from the Church to the Mayor and Council regarding acquisition of part of their property for flood control. See the letter attached to RES-08:219. Councilman Moore thanked the Church for their help during the acquisition.

Dr. Richard Wang stated the budget is the single more important thing the Council does each year. He noted the Mayor is supposed to present a proposed budget by December 1st, but for some reason that hasn't happened this year. He noted the State of Arkansas does not direct the mayor-elect to deliver a budget. He explained the mayor is supposed to deliver a budget. He recommended the City move to a City Manager form of government. He asked for the Council to consider establishing a chief administrative office position in the Mayor's Office. He explained this person could have the expertise to give the Mayor's Office greater levels of professionalism.

11. Adjournment.

A motion was made by Councilman Darrel Dover, seconded by Councilman Tim McCall, that this meeting be Adjourned. The motion CARRIED by a Voice Vote.

Aye: 11 - Darrel Dover;Faye McCall;Ann Williams;Charles Frierson;Jim Hargis;Chris Moore;Harold Perrin;John Street;Mitch Johnson;Tim McCall and Cecil Province

Absent: 1 - Judy Furr

_____ **Date:** _____
Harold Perrin, Mayor

_____ **Date:** _____
Donna Jackson, City Clerk