



City of Jonesboro

Municipal Center
300 S. Church Street
Jonesboro, AR 72401

Meeting Minutes Finance & Administration Council Committee

Tuesday, September 14, 2021

4:00 PM

Municipal Center, 300 S. Church

1. Call To Order

2. Roll Call by City Clerk April Leggett

Present 5 - Charles Coleman; Ann Williams; David McClain; Joe Hafner and Brian Emison

Absent 2 - John Street and LJ Bryant

3. Approval of minutes

[MIN-21:074](#)

Minutes for the Finance Committee meeting on August 31, 2021

Attachments: [Minutes](#)

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

Aye: 4 - Charles Coleman; Ann Williams; David McClain and Brian Emison

4. New Business

RESOLUTIONS TO BE INTRODUCED

[RES-21:175](#)

A RESOLUTION OF THE CITY OF JONESBORO, ARKANSAS TO CONTRACT WITH ADVANCE SIGN FOR SPONSORSHIP OF TWO OUTFIELD SIGNS AT SOUTHSIDE SOFTBALL COMPLEX

Sponsors: Parks & Recreation and Finance

Attachments: [Advance Contract](#)

A motion was made by Councilperson David McClain, seconded by Councilperson Ann Williams, that this matter be Recommended to Council . The motion PASSED with the following vote.

Aye: 4 - Charles Coleman; Ann Williams; David McClain and Brian Emison

[RES-21:176](#)

A RESOLUTION OF THE CITY OF JONESBORO, ARKANSAS TO CONTRACT WITH ST BERNARDS FOR SPONSORSHIP OF ONE ATHLETIC FIELD AT THE JOE MACK CAMPBELL SPORTS COMPLEX

Sponsors: Parks & Recreation and Finance

Attachments: [StBernards Contract](#)

A motion was made by Councilperson David McClain, seconded by Councilperson Ann Williams, that this matter be Recommended to Council . The motion PASSED with the following vote.

Aye: 4 - Charles Coleman;Ann Williams;David McClain and Brian Emison

[RES-21:178](#)

RESOLUTION BY THE CITY COUNCIL OF THE CITY OF JONESBORO, ARKANSAS, TO PLACE A MUNICIPAL LIEN ON PROPERTY LOCATED AT 4708 SAMANTHA, JONESBORO, AR 72404, PARCEL 01-144233-08000, OWNED BY SALLY BOWERS

Sponsors: Code Enforcement and Finance

Attachments: [4708 Samantha09072021](#)

A motion was made by Councilperson Charles Coleman, seconded by Councilperson David McClain, that this matter be Recommended to Council . The motion PASSED with the following vote.

Aye: 4 - Charles Coleman;Ann Williams;David McClain and Brian Emison

[RES-21:179](#)

RESOLUTION BY THE CITY COUNCIL OF THE CITY OF JONESBORO, ARKANSAS, TO PLACE A MUNICIPAL LIEN ON PROPERTY LOCATED AT 4304 RACE STREET, JONESBORO, AR 72401, PARCEL 01-144271-19900, OWNED BY CHARLES CRAIG CONYERS

Sponsors: Code Enforcement and Finance

Attachments: [4304 Race09072021](#)

A motion was made by Councilperson David McClain, seconded by Councilperson Ann Williams, that this matter be Recommended to Council . The motion PASSED with the following vote.

Aye: 4 - Charles Coleman;Ann Williams;David McClain and Brian Emison

[RES-21:180](#)

RESOLUTION BY THE CITY COUNCIL OF THE CITY OF JONESBORO, ARKANSAS, TO PLACE A MUNICIPAL LIEN ON PROPERTY LOCATED AT GABRIEL CT, JONESBORO, AR 72401, PARCEL 01-144151-19400, OWNED BY DIANE GASTON

Sponsors: Code Enforcement and Finance

Attachments: [Gabriel CT09072021](#)

A motion was made by Councilperson Brian Emison, seconded by Councilperson David McClain, that this matter be Recommended to Council . The motion PASSED with the following vote.

Aye: 4 - Charles Coleman;Ann Williams;David McClain and Brian Emison

[RES-21:181](#)

RESOLUTION BY THE CITY COUNCIL OF THE CITY OF JONESBORO, ARKANSAS, TO PLACE A MUNICIPAL LIEN ON PROPERTY LOCATED AT 1020 HOPE, JONESBORO, AR 72401, PARCEL 01-144173-04400, OWNED BY GARY TOOMBS

Sponsors: Code Enforcement and Finance

Attachments: [1020 Hope09072021](#)

A motion was made by Councilperson Charles Coleman, seconded by Councilperson David McClain, that this matter be Recommended to Council . The motion PASSED with the following vote.

Aye: 4 - Charles Coleman;Ann Williams;David McClain and Brian Emison

[RES-21:182](#)

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

Sponsors: Code Enforcement and Finance

Attachments: [1328 Huntington09072021](#)

A motion was made by Councilperson Brian Emison, seconded by Councilperson David McClain, that this matter be Recommended to Council . The motion PASSED with the following vote.

Aye: 4 - Charles Coleman;Ann Williams;David McClain and Brian Emison

[RES-21:183](#)

RESOLUTION BY THE CITY COUNCIL OF THE CITY OF JONESBORO, ARKANSAS, TO PLACE A MUNICIPAL LIEN ON PROPERTY LOCATED AT 1313 PARDEW, JONESBORO, AR 72401, PARCEL 01-144212-20200, OWNED BY MICHELLE NUTT

Sponsors: Code Enforcement and Finance

Attachments: [1313 Pardew09072021](#)

A motion was made by Councilperson Charles Coleman, seconded by Councilperson Ann Williams, that this matter be Recommended to Council . The motion PASSED with the following vote.

Aye: 4 - Charles Coleman;Ann Williams;David McClain and Brian Emison

[RES-21:184](#)

RESOLUTION BY THE CITY COUNCIL OF THE CITY OF JONESBORO, ARKANSAS, TO PLACE A MUNICIPAL LIEN ON PROPERTY LOCATED AT 5407 PROSPECT ROAD, JONESBORO, AR 72401, PARCEL 01-144141-03800, OWNED BY JAMES CODY RUSSELL

Sponsors: Code Enforcement and Finance

Attachments: [5407 Prospect09072021](#)

A motion was made by Councilperson Brian Emison, seconded by Councilperson David McClain, that this matter be Recommended to Council . The motion PASSED with the following vote.

Aye: 4 - Charles Coleman;Ann Williams;David McClain and Brian Emison

[RES-21:185](#)

RESOLUTION BY THE CITY COUNCIL OF THE CITY OF JONESBORO, ARKANSAS, TO PLACE A MUNICIPAL LIEN ON PROPERTY LOCATED AT 409 N. FISHER, JONESBORO, AR 72401, PARCEL 01-144181-10500, OWNED BY PAUL D

GAMBILL

Sponsors: Code Enforcement and Finance

Attachments: [409 Fisher09072021](#)

A motion was made by Councilperson Brian Emison, seconded by Councilperson David McClain, that this matter be Recommended to Council . The motion PASSED with the following vote.

Aye: 4 - Charles Coleman;Ann Williams;David McClain and Brian Emison

[RES-21:186](#)

RESOLUTION BY THE CITY COUNCIL OF THE CITY OF JONESBORO, ARKANSAS, TO PLACE A MUNICIPAL LIEN ON PROPERTY LOCATED AT 405 STATE STREET, JONESBORO, AR 72401, PARCEL 01-144171-03500, OWNED BY CHARLES E NOELL JR.

Sponsors: Code Enforcement and Finance

Attachments: [405 State09072021](#)

A motion was made by Councilperson Charles Coleman, seconded by Councilperson Brian Emison, that this matter be Recommended to Council . The motion PASSED with the following vote.

Aye: 4 - Charles Coleman;Ann Williams;David McClain and Brian Emison

[RES-21:187](#)

RESOLUTION BY THE CITY COUNCIL OF THE CITY OF JONESBORO, ARKANSAS, TO PLACE A MUNICIPAL LIEN ON PROPERTY LOCATED AT 204 WOODROW, JONESBORO, AR 72401, PARCEL 01-144073-23400, OWNED BY NEWELL COOTS

Sponsors: Code Enforcement and Finance

Attachments: [204 Woodrow09072021](#)

A motion was made by Councilperson Charles Coleman, seconded by Councilperson Brian Emison, that this matter be Recommended to Council . The motion PASSED with the following vote.

Aye: 4 - Charles Coleman;Ann Williams;David McClain and Brian Emison

[RES-21:188](#)

RESOLUTION BY THE CITY COUNCIL OF THE CITY OF JONESBORO, ARKANSAS, TO PLACE A MUNICIPAL LIEN ON PROPERTY LOCATED AT 200 MULBERRY, JONESBORO, AR 72401, PARCEL 01-144074-09600, OWNED BY LEON JONES

Sponsors: Code Enforcement and Finance

Attachments: [200 Mulberry09072021](#)

A motion was made by Councilperson Charles Coleman, seconded by Councilperson Brian Emison, that this matter be Recommended to Council . The motion PASSED with the following vote.

Aye: 4 - Charles Coleman;Ann Williams;David McClain and Brian Emison

[RES-21:189](#)

RESOLUTION BY THE CITY COUNCIL OF THE CITY OF JONESBORO, ARKANSAS, TO PLACE A MUNICIPAL LIEN ON PROPERTY LOCATED AT 816 HOOVER,

JONESBORO, AR 72401, PARCEL 01-144181-14800, OWNED BY ROBERT WHITAKER

Sponsors: Code Enforcement and Finance

Attachments: [816 Hoover09072021](#)

A motion was made by Councilperson Brian Emison, seconded by Councilperson Ann Williams, that this matter be Recommended to Council . The motion PASSED with the following vote.

Aye: 4 - Charles Coleman;Ann Williams;David McClain and Brian Emison

[RES-21:190](#)

RESOLUTION BY THE CITY COUNCIL OF THE CITY OF JONESBORO, ARKANSAS, TO PLACE A MUNICIPAL LIEN ON PROPERTY LOCATED AT 500 ALLEN, JONESBORO, AR 72401, PARCEL 01-144181-30100, OWNED BY KENNY COLEMAN

Sponsors: Code Enforcement and Finance

Attachments: [500 Allen09072021](#)

A motion was made by Councilperson Charles Coleman, seconded by Councilperson Brian Emison, that this matter be Recommended to Council . The motion PASSED with the following vote.

Aye: 4 - Charles Coleman;Ann Williams;David McClain and Brian Emison

[RES-21:195](#)

A RESOLUTION TO AMEND THE 2021 ANNUAL BUDGET OF THE CITY OF JONESBORO, ARKANSAS BY ADDING THREE POLICE OFFICER POSITIONS AT A U1, STEP 2 PAY GRADE

Sponsors: Police Department

Assistant Police Chief Lynn Waterworth approached the podium, "I was wanting to make sure I was reading that correctly. A U2 pay grade is actually for a Sargent. That should be a U1 step 2, so I think we just combined the words there." Chairman Joe Hafner said, "Ok, would someone like to make an amendment to change that to a U1 step 2?" Councilmember Dr. Charles Coleman motioned, seconded by Councilmember Ann Williams, to amend RES-21:195 to make the change of U2 pay grade to a pay grade of U1, Step 2 Pay Grade. All voted aye.

Judge Tommy Fowler, on behalf of the District Court approached the podium, "Judge David Boling sends his hellos and sorry he wasn't able to be here today. He and his wife welcomed in a new baby girl, healthily, just a couple of weeks ago so he is pulling daddy duty this afternoon. I really do appreciate the consideration of this motion. What Judge Boling and I have been looking at and have faced in less than 2 years, we've had 3 different security incidents, breaches, at the District Court, and it is something we feel is important, not for us but for every single person who walks into that building to conduct their business with that court and with our city and our clerks as well. Just to let you know that we are doing our part as well, Judge Boling and I agreed to take on, well before this came up to be a motion, approximately 800 not yet filed felony cases that were about to be lost in Circuit Court under the Drug Task Force group. These were class D, which are the lowest felony matters, normally a paraphernalia offence. Most of these people are first time offenders. Due to Covid and many other reasons that are not pertinent to today's discussion, these cases are

going to be lost because there was not enough time to get them in front of the Circuit Judge and get the cases filed. Judge Boling and I agreed to take these cases on, being filed not as a D felony but as an A misdemeanor and this was to do several different things. One, it was actually going to help the Circuit Court out, it was going to help the prosecutor out, it was going to help the public defender out, by getting these cases disposed of rather than just lost to speedy trial, which is the rule of law where a case must come to court, must come to trial within 1 year of being arrested and these cases were going to be lost due to that, not being able to come before them. We created special days on our calendar to take on these cases, which are not our responsibility, but something we felt we wanted to do to help everyone out. It's also going to help out the defendants in these matters. It's going to allow them to come to our court, enter a plea then to a A misdemeanor rather than a D felony which will absolutely will affect their hiring ability and moving on with their life. It also allows them, after they take care of their business, which will be no jail time, it will be fines and cost and 1 year of probation. It will allow them to move to have their records sealed if they complete everything they are supposed to do. So we take care of the cases, we help the Circuit Court out, we help, again, the public defender and the prosecutor out and we also help the people out. We started doing this back in June. We have had 5 of those days, I feel all 5 of those have been successful. We have another day coming up at the end of September, in October, and it has been so successful that we've agreed to take on additional cases next year that fall into this criteria. As I understand, the prosecutor may bring other cases down from D felony to A misdemeanors where he finds them to be appropriate. In speaking with Brian Miles, the chief public defender, Mr. Miles has let me know that he believes that we have saved almost 2 full complete weeks of Circuit Court by taking care of these cases so far, allowing them additional time to take care of and deal with more pressing more concerning and more serious matters before their court. Finally, a class A misdemeanor on paraphernalia case is \$595, fines and cost. If those had been felonies the city of Jonesboro would not have seen a dime of that. It would have all gone to the county because it would have been a felony. By running them through to our court, now as a misdemeanor, the arresting agency, and the majority of those I would dare say 90% of those 800 cases, the arresting agency is the City of Jonesboro. Chief, if I'm wrong jump in here and let me know but I believe the city handled the majority of those cases. Now that money will actually come back into the coffers for the City of Jonesboro. These people also, again, instead of doing jail time will be on probation for 1 year. So if you look at the math, 800 times \$595, is around \$476,000 new dollars that was not going to come into the city coffers that will be coming in now. 800 people on 1 year probation at \$35 a month in their probation fees another \$336,000. That's a little over \$800,000 that Judge Boling and I feel like we will have contributed to this to justify our request for something we didn't have to do, something we took on before the Mayor stepped up and said "I see a need and I want to help you address that need" and I cannot thank Mayor Copenhagen, I cannot thank Mr. Richardson enough. Chief Elliot, Captain Waterworth and all of their support. They have been behind us 100%. They have never pushed back on this, they understand the need. It will also allow Captain Waterworth to use her 2 warrant officers rather than sending them in to stand in each day of court as bailiffs. They will now be able to spend their time doing what they are hired to do and that is be warrant officers. So I feel it is a win for everyone all around. We're proud to do our part. We're proud of the way our District Court is run and the way we treat people. I'll be glad to take any questions from the committee if anyone has any." Councilmember David McClain said, "I guess the only question I have Mr. Chairman is you said that other cases would be lost. How many cases did you say would have been lost?" Judge Fowler said, "800." Councilmember David McClain said, "800, ok, would have been lost because of time? You mean thrown out." Judge Fowler said, "Dismissed, as a rule of law, and

actually David, we live in a real world. Not all 800 of those cases are going to pay like they are supposed to. Not all 800 of them are going to take this offer and when they come before us we advise them, "if you still want a trial you're absolutely entitled to one and you can have it, but it will be back to a D felony in Circuit Court." There have been some people who have decided that "I am innocent, I have a defense to this" and they have taken that route. That is absolutely their constitutional right and have no problem with that, but we are offering those an avenue, who want to get this done. They've been coming to court, probably every month, since their arrest, signing scheduling orders just being pushed back. This again, is going to save a lot of time and a lot of wasted time for a lot of people. These cases would have been lost due to the 1 year speedy trial rule if we had not agreed, and actually offered to take these on." Mayor Harold Copenhaver said, "Mr. Chairman may I make a comment as well? Judge Folwer, if you would, if you want to elaborate a little on the ability that through our conversations that we were able to work out an agreement for our officers and when they would be in the court room and how that would save as well for them and overtime for the city." Judge Fowler said, "Starting next Monday, Judge Boling and I have restructured how we are going to hold court. Right now trial cases have been appearing at 9 in the morning. First appearance, so if Brian got a speeding ticket this weekend and he was given a first appearance date, it would be at 1pm. Starting next Monday, all trial offenses, all ticket offenses are appearing at 9am. What will happen then is I will take the bench, I'll call the trial docket to see who all's there, see who still wants a trial, I will then let the prosecutor step aside to speak to the public defender, to the private defense attorneys, and to the people that are representing themselves, about do they in fact want a trial, is there a plea negotiation they can reach. Those that are still for trial will be held at 1 that afternoon, so here's what happens, rather than the officers being subpoenaed to come and sit in court starting at 9am and possibly wait until 11am before their case is called, or if it is for trial, have to come back for the first appearance docket, they may not even get on the stand until 3 that afternoon, but have been there, being paid overtime from 9am until 3pm and if it is a 2nd shift or a 3rd shift officer, they may have just came off duty, now had to come to court, sit and wait, finish their trial and now go right back on duty. So what we've agreed to do is have everyone appear at 9am, those cases that are going to be for trial will still be tried at 1pm and officers won't be subpoenaed until 1pm. That also gives the prosecutor the opportunity to call up and say "Hey Officer Hafner, don't need you today, your case settled or the defendant had Covid so the case has been continued" rather than costing the city over and over in over time. We're trying our best to eliminate that while also taking into considerations officers' healthcare. Again, if they're coming off 3rd shift and having to work all day and go right back on, they're tired and fatigued. We realize that and we are trying to accommodate that as well. Thank you Mayor, I had forgotten about that benefit." Chairman Joe Hafner said, "Especially if it's their regular day off and they're having to spend it in court." Mayor Harold Copenhaver said, "I appreciate you both for hearing our concerns and hearing to that and changing your schedules." Judge Fowler said, "Not a problem. We consider this to be a fluid situation and we'll see how it works and if it needs to be tweaked then we can tweak it and we're certainly willing to do so." Councilmember David McClain said, "So will these primarily act as bailiffs or will they be able to move around? If we need them in the streets on weekends or nights, is that the plan or are they primarily be for the court?" Judge Fowler said, "As I understood they would be 2 full time, in the court building, which would be they're there for, not only when court is going on and for screening people coming in going through the metal detector, but to assist. We have a lot of money that comes through our court and escorting a clerk to the bank. Those types of things, being there, being able to help when necessary. I believe that is their primary focus. I also understood that they were going to be full time officers, so it's not just a bailiff."

A motion was made by Councilperson Charles Coleman, seconded by Councilperson Ann Williams, that this matter be Recommended to Council . The motion PASSED with the following vote.

Aye: 4 - Charles Coleman;Ann Williams;David McClain and Brian Emison

[RES-21:196](#)

A RESOLUTION AUTHORIZING THE CITY OF JONESBORO, ARKANSAS TO ACCEPT THE APPORTIONMENT AND TO ENTER INTO AN AGREEMENT WITH THE U.S DEPARTMENT OF TREASURY FOR THE EXECUTION OF THE 2021 AMERICAN RESCUE PLAN FUNDS FOR CITIES AND TOWNS

Sponsors: Grants and Community Development

Councilmember Ann Williams said, "I have a question. Is there anything in particular that we need to know about this as far as the finale actualizing this?" Chief Administrative Officer Brian Richardson approached the podium, "This resolution is more just officially accepting the money. This isn't putting it in any kind of fund or anything like that. This is just saying that we understand that we have to follow the Covid 19, American Rescue Plan funding guidelines and this was just a formality that the Grants Department in their understanding that we must official accept the money while we are waiting on the final guidelines on what all can be covered with it."

Councilmember Ann Williams said, "I had a question as far as the guidelines. How strict are they or how much of a problem as far as us complying with that?" Chief Administrative Officer Brian Richardson said, "Well we really haven't had any items that we have attempted reimbursement from this on. What we have right now are the preliminary guidelines and we are still awaiting the finale guidelines. You have to apply some reasoning to anything we want to purchase right now because they have to be covered under the temporary guidelines which are essential related to Covid 19 procedures, but moving forward we will have to make a defensible case for each purchase to ourselves because you can spend the money but we also want 3-4 years later if someone comes back and points out maybe that's wasn't what the money was for and then we have to pay the money back. That's why we have been very cautious with these money up to this point and much like every other city in this nation, we're still awaiting definite guidelines for it before we start spending this money."

Councilmember Ann Williams said, "I assume there's some lead way with this because this is something a little different." Chief Administrative Officer Brian Richardson said, "That's part of the danger. We don't want to play the lead way game and then the tax payers have to pay it back. We are fortunate in a lot of ways in Jonesboro, we didn't have the unemployment needs that some of the other communities had, but we are also in the same position as a lot of other cities. We have projects that desperately need attention but we are awaiting some more guidelines. Some of the initial things that have been offered are immediate payment for Covid related absences or sicknesses and revenue loses that you can prove. Other than that we have been advised to sit back and wait for final guidelines before making any major decisions along as you don't have any budding emergencies that you have to address. A lot of cities have already started to address the infrastructure to see which problems. That's not so much of an issue here. That's what most cities right now are doing with this money." Mayor Harold Copenhaver said, "Councilmember Williams, this is also half of the funds that we are supposed to receive. This is just the initial, of course, we can't hold our breath to receive the second but that's what's due us next year." Chairman Joe Hafner said, "Hey Brian, I didn't get a chance to look back at earlier agendas but wasn't there a resolution or an ordinance that was kind of along these same wording that we did a couple of months ago?" Chief Administrative Officer Brian Richardson said, "We did a resolution to initially accept the money under the current guidelines because we had to actually create a checking account and we have to sign some

paperwork, which anytime we sign something binding like that it needs to go in front of council. Off the best of my memory that's what that was." Chairman Joe Hafner said, "I know the wording was real similar. I was just wondering what the difference was between that one and this one." Chief Administrative Officer Brian Richardson said, "This is just out of an abundance of caution to make sure that we're following every step properly."

A motion was made by Councilperson David McClain, seconded by Councilperson Brian Emison, that this matter be Recommended to Council . The motion PASSED with the following vote.

Aye: 4 - Charles Coleman;Ann Williams;David McClain and Brian Emison

5. Pending Items

6. Other Business

7. Public Comments

8. Adjournment

A motion was made by Councilperson David McClain, seconded by Councilperson Brian Emison, that this meeting be Adjourned . The motion PASSED with the following vote.

Aye: 4 - Charles Coleman;Ann Williams;David McClain and Brian Emison