



City of Jonesboro

900 West Monroe
Jonesboro, AR 72401

Meeting Minutes City Council

Tuesday, January 18, 2011

6:30 PM

Huntington Building

PUBLIC SAFETY COMMITTEE MEETING AT 5:30 P.M.

NOMINATING & RULES COMMITTEE MEETING AT 6:00 P.M.

PUBLIC HEARING AT 6:15 P.M.

Regarding the abandonment of 2.0 feet of the right-of-way along the west side of Vine Street between Huntington Avenue and Monroe Street within the City of Jonesboro, Arkansas, as requested by Mayor Harold Perrin

No opposition was voiced for this abandonment.

1. CALL TO ORDER BY MAYOR PERRIN AT 6:30 P.M.

2. PLEDGE OF ALLEGIANCE AND INVOCATION

3. ROLL CALL BY CITY CLERK DONNA JACKSON

Councilman Frierson left at 7:10 p.m.

Present 11 - Darrel Dover; Ann Williams; Charles Frierson; Chris Moore; John Street; Mitch Johnson; Tim McCall; Gene Vance; Chris Gibson; Rennell Woods and Charles Coleman

Absent 1 - Mikel Fears

4. SPECIAL PRESENTATIONS

Mayor Perrin recognized the Arkansas State University public affairs class that was in attendance with instructor Bonnie Thrasher.

5. CONSENT AGENDA

Approval of the Consent Agenda

A motion was made by Councilman Chris Gibson, seconded by Councilman Chris Moore, to Approve the Consent Agenda. A motion was made that these files be approved by consent voice vote

Aye: 11 - Darrel Dover; Ann Williams; Charles Frierson; Chris Moore; John Street; Mitch Johnson; Tim McCall; Gene Vance; Chris Gibson; Rennell Woods and Charles Coleman

Absent: 1 - Mikel Fears

MIN-11:001

Minutes for the City Council meeting on January 4, 2011.

Attachments: [Minutes](#)

This item was PASSED on the consent agenda.

RES-10:162

A RESOLUTION EXPRESSING THE WILLINGNESS OF THE CITY OF JONESBORO TO UTILIZE FEDERAL-AID MONIES FOR THE FOLLOWING CITY PROJECT:

Race Street Improvements

Sponsors: Engineering

This item was PASSED on the consent agenda.

Enactment No: R-EN-005-2011

RES-10:169

A RESOLUTION AUTHORIZING A CONTRACT RENEWAL WITH SCS FIELD SERVICES FOR GAS COLLECTION AND CONTROL SYSTEMS (GCCS) OPERATIONS, MONITORING, AND MAINTENANCE (OM&M) SERVICES

Sponsors: Sanitation

Attachments: [Contract](#)

This item was PASSED on the consent agenda.

Enactment No: R-EN-006-2011

RES-10:185

A RESOLUTION TO THE CITY OF JONESBORO, ARKANSAS TO AUTHORIZE THE MAYOR AND CITY CLERK TO GRANT AN EASEMENT FOR UTILITIES TO CITY WATER AND LIGHT PLANT OF JONESBORO, ARKANSAS

Sponsors: Engineering

Attachments: [CWL Easement.pdf](#)

This item was PASSED on the consent agenda.

Enactment No: R-EN-007-2011

RES-10:186

A RESOLUTION TO CONTRACT WITH ARKANSAS STATE UNIVERSITY FOR SPONSORSHIP OF SOCCER FIELDS AT JOE MACK CAMPBELL PARK

Sponsors: Parks & Recreation

Attachments: [Arkansas State Universtiy](#)

This item was PASSED on the consent agenda.

Enactment No: R-EN-008-2011

RES-10:187

A RESOLUTION TO CONTRACT WITH FOWLER FOODS INC. - TACO BELL /

KENTUCKY FRIED CHICKEN FOR SPONSORSHIP OF A SOCCER FIELD AT JOE MACK CAMPBELL PARK

Sponsors: Parks & Recreation

Attachments: [Fowler Foods Sponsorship Contract](#)

This item was PASSED on the consent agenda.

Enactment No: R-EN-009-2011

6. NEW BUSINESS

ORDINANCES ON FIRST READING

ORD-10:098

AN ORDINANCE AMENDING THE STORMWATER MANAGEMENT REGULATIONS TO INCLUDE ADDITIONAL DEFINITIONS

Sponsors: Stormwater Management Board and Engineering

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

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

A motion was made by Councilman Chris Moore, seconded by Councilman John Street, that this matter be Passed . The motion PASSED by a unanimous vote

Aye: 11 - Darrel Dover;Ann Williams;Charles Frierson;Chris Moore;John Street;Mitch Johnson;Tim McCall;Gene Vance;Chris Gibson;Rennell Woods and Charles Coleman

Absent: 1 - Mikel Fears

Enactment No: O-EN-003-2011

ORD-10:099

AN ORDINANCE AMENDING SECTION 9.0 OF THE STORMWATER DRAINAGE DESIGN MANUAL

Sponsors: Stormwater Management Board and Engineering

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

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

A motion was made by Councilman John Street, seconded by Councilman Mitch Johnson, that this matter be Passed . The motion PASSED by a unanimous vote

Aye: 11 - Darrel Dover;Ann Williams;Charles Frierson;Chris Moore;John Street;Mitch Johnson;Tim McCall;Gene Vance;Chris Gibson;Rennell Woods and Charles Coleman

Absent: 1 - Mikel Fears

Enactment No: O-EN-004-2011

ORD-10:100

AN ORDINANCE TO WAIVE COMPETITIVE BIDDING FOR THE COLLECTION OF

LIGHT DETECTION AND RANGING (LiDAR) ELEVATION DATA FOR JONESBORO AND AUTHORIZING AMEC EARTH & ENVIRONMENTAL, INC. TO PROCEED

Sponsors: Engineering

Attachments: [proposed lidar USDA inclusive 8X11.pdf](#)

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

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

A motion was made by Councilman Mitch Johnson, seconded by Councilman John Street, that this matter be Passed . The motion PASSED by a unanimous vote

Aye: 11 - Darrel Dover; Ann Williams; Charles Frierson; Chris Moore; John Street; Mitch Johnson; Tim McCall; Gene Vance; Chris Gibson; Rennell Woods and Charles Coleman

Absent: 1 - Mikel Fears

Enactment No: O-EN-005-2011

ORD-11:008

AN ORDINANCE TO AMEND CHAPTER 117, KNOWN AS THE ZONING ORDINANCE PROVIDING FOR CHANGES IN ZONING BOUNDARIES FROM R-1 AND I-1 TO C-3 LUO GENERAL COMMERCIAL DISTRICT FOR PROPERTY LOCATED AT 5716 & 5720 EAST JOHNSON AVENUE AS REQUESTED BY COMPTON DUNLAP PROPERTIES, LLC & C3, LLC

Attachments: [Plat](#)
[MAPC Report](#)

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

Councilman Moore questioned whether there is any opposition to the rezoning. City Planner Otis Spriggs indicated no, there has not been any opposition to this rezoning.

A motion was made by Councilman Chris Moore, seconded by Councilman Darrel Dover, that this matter be Waive Second Reading . The motion PASSED by a unanimous vote

Aye: 11 - Darrel Dover; Ann Williams; Charles Frierson; Chris Moore; John Street; Mitch Johnson; Tim McCall; Gene Vance; Chris Gibson; Rennell Woods and Charles Coleman

Absent: 1 - Mikel Fears

ORD-11:009

AN ORDINANCE TO AMEND CHAPTER 117, ARTICLE III, THE ZONING ORDINANCE PROVIDING FOR CHANGES IN ZONING BOUNDARIES FROM R-1 TO I-1 FOR PROPERTY LOCATED AT 2800 INDUSTRIAL DRIVE AS REQUESTED BY W. TURNER ASKEW

Attachments: [Plat](#)
[MAPC Report](#)

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

A motion was made by Councilman Chris Moore, seconded by Councilman Charles Coleman, that this matter be Waive Second Reading . The motion PASSED by a unanimous vote

Aye: 11 - Darrel Dover;Ann Williams;Charles Frierson;Chris Moore;John Street;Mitch Johnson;Tim McCall;Gene Vance;Chris Gibson;Rennell Woods and Charles Coleman

Absent: 1 - Mikel Fears

ORD-11:010

AN ORDINANCE TO ABANDON 2.0 FEET OF THE RIGHT-OF-WAY ALONG THE WEST SIDE OF VINE STREET BETWEEN HUNTINGTON AVENUE AND MONROE STREET WITHIN THE CITY OF JONESBORO, ARKANSAS AS REQUESTED BY MAYOR HAROLD PERRIN, CRAIGHEAD COUNTY, JONESBORO, ARKANSAS

Sponsors: Mayor's Office

Attachments: [Petition](#)
[Planning Department Letter](#)
[Plat](#)
[Consent and utility letters](#)

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

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

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

A motion was made by Councilman Chris Moore, seconded by Councilman John Street, that this matter be Passed . The motion PASSED by a unanimous vote

Aye: 11 - Darrel Dover;Ann Williams;Charles Frierson;Chris Moore;John Street;Mitch Johnson;Tim McCall;Gene Vance;Chris Gibson;Rennell Woods and Charles Coleman

Absent: 1 - Mikel Fears

Enactment No: O-EN-006-2011

RESOLUTIONS TO BE INTRODUCED

RES-10:150

A RESOLUTION TO Condemn property at 343 Fisher St

Sponsors: Code Enforcement

Attachments: [CONDEMNATION CHECKLIST](#)
[CONDEMNATION CHECKLIST - PDF VERSION](#)
[Picture 1 079](#)
[Picture 1 082](#)
[Picture 1 084](#)
[Picture 1 091](#)
[Inspection Report001](#)

Property owner Tom Doty explained he and his wife have been trying to sell the property. They hired a contractor to determine the cost of bringing the house up to code. He asked the Council for 30 to 45 days to bring the property up to code. Mayor Perrin noted he has spoken with Mr. Doty and informed him that he will have time to

bring the property up to code.

A motion was made by Councilman Chris Moore, seconded by Councilman John Street, that this matter be Passed . The motion PASSED by a unanimous vote

Aye: 10 - Darrel Dover;Ann Williams;Charles Frierson;Chris Moore;John Street;Mitch Johnson;Tim McCall;Gene Vance;Chris Gibson and Rennell Woods

Nay: 1 - Charles Coleman

Absent: 1 - Mikel Fears

Enactment No: R-EN-010-2011

RES-10:151

A RESOLUTION TO Condemn property at 339 Fisher St

Sponsors: Code Enforcement

Attachments: [CONDEMNATION CHECKLIST](#)
[CONDEMNATION CHECKLIST - PDF VERSION](#)
[Picture 1 095](#)
[Picture 1 100](#)
[Picture 1 103](#)
[Picture 1 105](#)
[Picture 1 096](#)
[Inspection Report 2001](#)

Property owner Rodney Cranford explained he has been making progress bringing the property up to code. He asked for more time to finish the work. Code Enforcement Office Ronnie Shaver noted Mr. Cranford has purchased an electrical permit and work has been done on the structure. He added there are further electrical issues that need to be dealt with, as well as plumbing. He stated he informed Mr. Cranford today that if the Council approves the condemnation he will still have time to bring the house up to code. Mayor Perrin questioned whether Mr. Cranford understood what Mr. Shaver stated. Mr. Cranford answered yes.

A motion was made by Councilman Chris Moore, seconded by Councilwoman Ann Williams, that this matter be Passed . The motion PASSED by a unanimous vote

Aye: 11 - Darrel Dover;Ann Williams;Charles Frierson;Chris Moore;John Street;Mitch Johnson;Tim McCall;Gene Vance;Chris Gibson;Rennell Woods and Charles Coleman

Absent: 1 - Mikel Fears

Enactment No: R-EN-011-2011

RES-10:170

A RESOLUTION TO Condemn property at 1609 W Nettleton Ave

Sponsors: Code Enforcement

Attachments: [CONDEMNATION CHECKLIST.doc](#)
[CONDEMNATION CHECKLIST - PDF version](#)
[Inspection report001.jpg](#)
[Inspection report002.jpg](#)
[100_2734.JPG](#)
[100_2736.JPG](#)
[100_2739.JPG](#)
[100_2740.JPG](#)

Mr. MG Meyering, President of Habitat for Humanity, explained this is one of three properties (the other two are directly following on the agenda) that they are interest in. The property had a mortgage with Bank of America and the previous owners, who foreclosed on the house, stipulated that if Bank of America would release the mortgage on the house the property would be deeded to Habitat for Humanity. They are looking at the property in order to provide temporary housing while they are applying for a Habitat house. He discussed the property and what improvements he thinks would be needed for the property. He asked for consideration from the Council so the structures are not torn down.

Councilman Moore questioned if they have had contact with the bank. Mr. Meyering answered yes, they are currently working with Bank of America. He noted there is a 20-year lien on the property and they will have to get the lien eliminated before clearing the title.

Councilman Frierson expressed concern over being able to take care of the mortgage in 30 days. He motioned, seconded by Councilwoman Williams, to table the resolution until the next Council meeting. Councilman Moore stated he is concerned with holding the condemnation due to Habitat for Humanity not having any interest in the property at the current time. Councilman Frierson noted holding the resolution would give Habitat more time to work with the bank. Councilman Vance added the structures are an eye sore and a danger to that community.

Mr. Shaver explained he has issues with the property because the buildings are open and not secure. He noted Annie Camp School is not far from this property. He stated he would like the property to be secured, but he only has authority to secure the property after it is condemned. He explained if the owners do not secure the property, after it is condemned the City can secure the property. Councilman Moore noted Mr. Shaver has the authority to extend the time frame for improvements as long as Habitat presented documentation showing they are working on receiving ownership of the property. Mr. Shaver noted he received a letter from Habitat dated September 23, 2010, that they are working with the bank to take over ownership. Mr. Meyering added the bank responded just last week because it took so long to find the people who have a lien on the property.

Further discussion was held concerning the condemnation.

Ms. Elizabeth Stafford, a member of the board from Habitat for Humanity, stated this is an opportunity for them to expand into an area of the City that needs some work. She added this will provide an opportunity the City will gain from.

Councilman Dover questioned whether the City can table the resolution and still secure the property. City Attorney Phillip Crego answered no, because the City does not have the authorization to do that until the property is condemned.

Councilman Frierson withdrew his motion to table the resolution.

A motion was made by Councilman Darrel Dover, seconded by Councilman Chris Moore, that this matter be Passed . The motion PASSED by a unanimous vote

Aye: 11 - Darrel Dover;Ann Williams;Charles Frierson;Chris Moore;John Street;Mitch Johnson;Tim McCall;Gene Vance;Chris Gibson;Rennell Woods and Charles Coleman

Absent: 1 - Mikel Fears

Enactment No: R-EN-012-2011

RES-10:171

A RESOLUTION TO Condemn property at 1613 W Nettleton Ave

Sponsors: Code Enforcement

Attachments: [CONDEMNATION CHECKLIST.doc](#)
[CONDEMNATION CHECKLIST - PDF version](#)
[Inspection report001.jpg](#)
[100_2743.JPG](#)
[100_2744.JPG](#)
[100_2746.JPG](#)
[100_2747.JPG](#)

A motion was made by Councilman Chris Moore, seconded by Councilman Chris Gibson, that this matter be Passed . The motion PASSED by a unanimous vote

Aye: 11 - Darrel Dover;Ann Williams;Charles Frierson;Chris Moore;John Street;Mitch Johnson;Tim McCall;Gene Vance;Chris Gibson;Rennell Woods and Charles Coleman

Absent: 1 - Mikel Fears

Enactment No: R-EN-013-2011

RES-10:172

A RESOLUTION TO Condemn property at 1617 W Nettleton Ave

Sponsors: Code Enforcement

Attachments: [CONDEMNATION CHECKLIST.doc](#)
[CONDEMNATION CHECKLIST - PDF version](#)
[Inspection report001.jpg](#)
[100_2704.JPG](#)
[100_2705.JPG](#)
[100_2706.JPG](#)
[100_2976.JPG](#)
[100_2707.JPG](#)
[100_2975.JPG](#)

A motion was made by Councilman Chris Moore, seconded by Councilman Chris Gibson, that this matter be Passed . The motion PASSED by a unanimous vote

Aye: 11 - Darrel Dover;Ann Williams;Charles Frierson;Chris Moore;John Street;Mitch Johnson;Tim McCall;Gene Vance;Chris Gibson;Rennell Woods and Charles Coleman

Absent: 1 - Mikel Fears

Enactment No: R-EN-014-2011

RES-10:174

A RESOLUTION TO condemn property at 728 Burke

Sponsors: Code Enforcement

Attachments: [JPD401 CONDEMNATION CHECKLIST2](#)
[Inspection Report 3001](#)
[728 bourke 010](#)
[728 bourke 011](#)
[728 bourke 014](#)
[728 bourke 022](#)

Mr. Harvey Williams explained he is going to buy the necessary permits to get the work done. Mayor Perrin added the property is under contract to sell and Mr. Williams is willing to buy the permits to bring it up to code in order to sell the property. He noted Mr. Williams understands he has 35 days and the City will work with him.

A motion was made by Councilman Chris Moore, seconded by Councilman Chris Gibson, that this matter be Passed . The motion PASSED by a unanimous vote

Aye: 11 - Darrel Dover;Ann Williams;Charles Frierson;Chris Moore;John Street;Mitch Johnson;Tim McCall;Gene Vance;Chris Gibson;Rennell Woods and Charles Coleman

Absent: 1 - Mikel Fears

Enactment No: R-EN-015-2011

7. UNFINISHED BUSINESS

8. MAYOR'S REPORTS

Mayor Perrin discussed the following items:

He presented the Council with financial reports through the end of December, 2010. It will be March before they have actual figure for 2010. In 2010, expenditures were \$13.4 million under what was budgeted. He credited the department heads for the savings. Revenues were \$8 million under what was budgeted. \$272,759 was received from the alcoholic beverage tax. \$416,677 was received from the hotel tax.

Ward meetings will begin in February or March. Condemnations were discussed during the meetings. There were 31 demolitions at the cost of \$24,000.

COM-11:001

2011 Transportation Improvements presentation

Sponsors: Engineering

Attachments: [Presentation](#)

Mr. Brent Watkins from the Engineering Department discussed the transportation improvements planned for 2011.

9. CITY COUNCIL REPORTS

Councilman Woods stated he enjoyed the recent Municipal League meeting and learned a lot. He added the Surgeon General was happy with his recent visit and hopes to hold more meetings.

Councilman Gibson stated Nominating & Rules met earlier and voted to leave the committees the same, with Councilman Coleman taking the place of Jim Hargis on the Finance and Public Works Committees.

Councilman Moore asked for a brief discussion of the ruling concerning Envisions. City Attorney Crego explained Judge Fogleman asked both sides to submit a modified restraining order, but he is allowing the restraining order to stay in place. He will not be allowing the City to proceed with closing the business until a complete hearing can be held, which is tentatively scheduled for June. He noted the restraining order refers to no police in terms of harassment, but they are to respond when called. Councilman Moore noted the modified restraining order must be agreed upon by both sides. He then questioned what the Police Department does until the modified restraining order is completed. City Attorney Crego stated until the modified restraining order is complete the original order is still in effect.

COM-11:002

Federal grants audit report

Sponsors: Grants

Attachments: [Report](#)

Mayor Perrin presented the Council with the federal grants audit report by Freeman and Company.

COM-11:003

Conceptual plans for new NEA District Fairgrounds

Attachments: [Fairgrounds](#)

Mayor Perrin presented the plans and noted they are just preliminary. Councilman Vance added the architects and engineers have just started the process of placing the buildings so the Fair Board can have meetings with local owners in that area. He explained if everything goes as scheduled it will go before the MAPC March 8th, so the earliest it will be at the Council March 15th or April 5th. He noted there will be county hearing on February 16th.

Mayor Perrin stated Grants Administrator Tony Thomas is now employed with the County. Ms. Heather Clements will be the new Grants Administrator. He added Ms. Clements has worked with the Police Department and has worked with grants.

Councilman Woods noted Grants Coordinator Gayle Vickers' mother passed away recently.

10. PUBLIC COMMENTS

A resident who lives on Manchester Drive spoke concerning the Compton Dunlap rezoning that was previously on the agenda. Mayor Perrin stated the rezoning was

held at two readings and has not passed yet. He added it will come up at the next Council meeting. The resident expressed concern about industry being put in that area.

11. ADJOURNMENT

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

Aye: 11 - Darrel Dover; Ann Williams; Charles Frierson; Chris Moore; John Street; Mitch Johnson; Tim McCall; Gene Vance; Chris Gibson; Rennell Woods and Charles Coleman

Absent: 1 - Mikel Fears

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

Attest:

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