



# City of Jonesboro

Municipal Center  
300 S. Church Street  
Jonesboro, AR 72401

## Meeting Minutes City Council

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Tuesday, July 6, 2021

5:30 PM

Municipal Center, 300 S. Church

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### PUBLIC WORKS COMMITTEE MEETING AT 5:00 P.M.

#### 1. CALL TO ORDER BY MAYOR HAROLD COPENHAVER AT 5:30 P.M.

#### 2. PLEDGE OF ALLEGIANCE AND INVOCATION

#### 3. ROLL CALL BY CITY CLERK APRIL LEGGETT

**Present** 11 - Ann Williams;Chris Moore;John Street;Mitch Johnson;Chris Gibson;Charles Coleman;Bobby Long;Joe Hafner;David McClain;LJ Bryant and Brian Emison

**Absent** 1 - Charles Frierson

#### 4. SPECIAL PRESENTATIONS

#### 5. CONSENT AGENDA

##### *Approval of the Consent Agenda*

**A motion was made by Councilperson Chris Moore, seconded by Councilperson Charles Coleman, to Approve the Consent Agenda. The motioned PASSED**

**Aye:** 11 - Ann Williams;Chris Moore;John Street;Mitch Johnson;Chris Gibson;Charles Coleman;Bobby Long;Joe Hafner;David McClain;LJ Bryant and Brian Emison

**Absent:** 1 - Charles Frierson

[MIN-21:056](#)

Minutes for the City Council meeting on June 15, 2021

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

**This item was passed on the Consent Agenda.**

[RES-21:090](#)

RESOLUTION BY THE CITY COUNCIL OF THE CITY OF JONESBORO, ARKANSAS, TO PLACE A MUNICIPAL LIEN ON PROPERTY LOCATED AT 200 S ALLIS, JONESBORO, AR 72401, PARCEL 01-144181-40800, OWNED BY MICHAEL DUANE DARLING

**Attachments:** [200 S. Allis](#)

**This item was passed on the Consent Agenda.**

Enactment No: R-EN-099-2021

[RES-21:091](#)

RESOLUTION BY THE CITY COUNCIL OF THE CITY OF JONESBORO, ARKANSAS, TO PLACE A MUNICIPAL LIEN ON PROPERTY LOCATED AT 309 N SECOND, JONESBORO, AR 72401, PARCEL 01-144182-17700, OWNED BY JOHNNY MEADOWS

**Attachments:** [309 Second](#)

**This item was passed on the Consent Agenda.**

Enactment No: R-EN-100-2021

[RES-21:092](#)

RESOLUTION BY THE CITY COUNCIL OF THE CITY OF JONESBORO, ARKANSAS, TO PLACE A MUNICIPAL LIEN ON PROPERTY LOCATED AT 317 N SECOND, JONESBORO, AR 72401, PARCEL 01-144182-17500, OWNED BY MARSHALL MOONEY

**Attachments:** [317 N. Second](#)

**This item was passed on the Consent Agenda.**

Enactment No: R-EN-101-2021

[RES-21:094](#)

RESOLUTION BY THE CITY COUNCIL OF THE CITY OF JONESBORO, ARKANSAS, TO PLACE A MUNICIPAL LIEN ON PROPERTY LOCATED AT 1112 W HUNTINGTON, JONESBORO, AR 72401, PARCEL 01-143134-01500, OWNED BY MABRY'S PROPERTIES & HOLDING

**Attachments:** [1112 Huntington](#)

**This item was passed on the Consent Agenda.**

Enactment No: R-EN-102-2021

[RES-21:095](#)

RESOLUTION BY THE CITY COUNCIL OF THE CITY OF JONESBORO, ARKANSAS, TO PLACE A MUNICIPAL LIEN ON PROPERTY LOCATED AT 1305 OAKHURST, JONESBORO, AR 72401, PARCEL 01-143133-18700, OWNED BY DIAN FRANKLIN, LLC.

**Attachments:** [1305 Oakhurst](#)

**This item was passed on the Consent Agenda.**

Enactment No: R-EN-103-2021

[RES-21:096](#)

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.

**Attachments:**     [1328 Huntington](#)

**This item was passed on the Consent Agenda.**

Enactment No: R-EN-104-2021

[RES-21:115](#)

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

**Attachments:**     [409 Fisher](#)

**This item was passed on the Consent Agenda.**

Enactment No: R-EN-105-2021

[RES-21:107](#)

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

**Attachments:**     [4304 Race](#)

**This item was passed on the Consent Agenda.**

Enactment No: R-EN-106-2021

[RES-21:108](#)

RESOLUTION BY THE CITY COUNCIL OF THE CITY OF JONESBORO, ARKANSAS, TO PLACE A MUNICIPAL LIEN ON PROPERTY LOCATED AT 2501 MARY JANE, JONESBORO, AR 72401, PARCEL 01-144272-24200, OWNED BY KENNETH L. & DENA BROADWAY

**Attachments:**     [2501 Mary Jane](#)

**This item was passed on the Consent Agenda.**

Enactment No: R-EN-107-2021

[RES-21:109](#)

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

**Attachments:**     [1313 Pardew](#)

**This item was passed on the Consent Agenda.**

Enactment No: R-EN-108-2021

[RES-21:110](#)

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

**Attachments:**     [1020 Hope](#)

**This item was passed on the Consent Agenda.**

Enactment No: R-EN-109-2021

[RES-21:111](#) RESOLUTION BY THE CITY COUNCIL OF THE CITY OF JONESBORO, ARKANSAS, TO PLACE A MUNICIPAL LIEN ON PROPERTY LOCATED AT 1014 S CULBERHOUSE, JONESBORO, AR 72401, PARCEL 01-144192-21300, OWNED BY CHARLES E NOELL JR

**Attachments:** [1014 S. Culberhouse](#)

**This item was passed on the Consent Agenda.**

Enactment No: R-EN-110-2021

[RES-21:112](#) 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

**Attachments:** [816 Hoover](#)

**This item was passed on the Consent Agenda.**

Enactment No: R-EN-111-2021

[RES-21:113](#) RESOLUTION BY THE CITY COUNCIL OF THE CITY OF JONESBORO, ARKANSAS, TO PLACE A MUNICIPAL LIEN ON PROPERTY LOCATED AT 716 W WASHINGTON AVE, JONESBORO, AR 72401, PARCEL 01-143134-17800, OWNED BY HRB PROPERTIES INC.

**Attachments:** [716 W. Washington](#)

**This item was passed on the Consent Agenda.**

Enactment No: R-EN-112-2021

[RES-21:114](#) 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

**Attachments:** [500 Allen](#)

**This item was passed on the Consent Agenda.**

Enactment No: R-EN-113-2021

[RES-21:116](#) RESOLUTION BY THE CITY COUNCIL OF THE CITY OF JONESBORO, ARKANSAS, TO PLACE A MUNICIPAL LIEN ON PROPERTY LOCATED AT 405 STATE, JONESBORO, AR 72401, PARCEL 01-144171-03500, OWNED BY CHARLES E NOELL JR.

**Attachments:** [405 State](#)

**This item was passed on the Consent Agenda.**

Enactment No: R-EN-114-2021

[RES-21:117](#) 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

**Attachments:** [204 Woodrow](#)

**This item was passed on the Consent Agenda.**

Enactment No: R-EN-115-2021

[RES-21:118](#) RESOLUTION BY THE CITY COUNCIL OF THE CITY OF JONESBORO, ARKANSAS, TO PLACE A MUNICIPAL LIEN ON PROPERTY LOCATED AT 200 S ALLIS, JONESBORO, AR 72401, PARCEL 01-144181-40800, OWNED BY MICHAEL DUANE DARLING

**Attachments:** [200 S. Allis](#)

**This item was passed on the Consent Agenda.**

Enactment No: R-EN-116-2021

[RES-21:119](#) 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

**Attachments:** [200 Mulberry](#)

**This item was passed on the Consent Agenda.**

Enactment No: R-EN-117-2021

[RES-21:121](#) A RESOLUTION OF THE CITY OF JONESBORO, ARKANSAS ACCEPTING A DONATION OF LAND FROM THE JONESBORO ECONOMIC DEVELOPMENT CORPORATION

**Attachments:** [Warranty Deed](#)

**This item was passed on the Consent Agenda.**

Enactment No: R-EN-118-2021

[RES-21:122](#) 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).

**This item was passed on the Consent Agenda.**

Enactment No: R-EN-119-2021

[RES-21:123](#) A RESOLUTION AUTHORIZING THE CITY OF JONESBORO GRANTS AND COMMUNITY DEVELOPMENT DEPARTMENT TO APPLY FOR THE DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT FY21 CHOICE NEIGHBORHOOD PLANNING GRANT

**Attachments:** [Choice Neighborhoods Planning Grant Program Summary](#)

**This item was passed on the Consent Agenda.**

Enactment No: R-EN-120-2021

[RES-21:125](#)

RESOLUTION BY THE CITY COUNCIL OF THE CITY OF JONESBORO, ARKANSAS, TO PLACE A MUNICIPAL LIEN ON PROPERTY LOCATED AT 1506 PRATT CIRCLE, JONESBORO, AR 72401, PARCEL 01-144082-09900, OWNED BY CHARLES H BOWMAN

**Attachments:** [1506 Pratt Circle06232021](#)

**This item was passed on the Consent Agenda.**

Enactment No: R-EN-121-2021

*ITEMS REMOVED FROM THE CONSENT AGENDA*[RES-21:124](#)

RESOLUTION EXPRESSING THE WILLINGNESS OF THE CITY OF JONESBORO TO SUBMIT AN APPLICATION TO THE DEPARTMENT OF TRANSPORTATION FOR THE FY21 RAISE GRANT FOR THE UPPER HALF OF THE JONESBORO CONNECTIVITY MASTER PLAN.

**Attachments:** [Connectivity Plan North Loop Executive Summary](#)

*Mayor Harold Copenhaver explained that this is something that we and the community have worked hard and diligently on. This is tax payer money from the Federal level and we need it back here in this community. Congressman Crawford says this will create an economic development through job creation and new business investments as well as strengthen healthy lifestyles and make it safer for our community. It will develop broadband and internet connectivity, and we are also including reducing flooding by improving our drainage district. We will also be doing a Veterans and Wounded Veterans crossing, a gold star type creation on this project. Again, we are just asking you all this so that we may proceed with applying for this grant and hopefully we can go after these funds 150% and bring it back to our community.*

*Community Director Regina Burkett explained that we are very excited to speak on this grant this evening because it is a game-changer for the City of Jonesboro along with Northeast Arkansas. We have had several phone calls and have talked to so many different people on this grant, trying to understand everything about it. We have called some different cities who have received the grant in the last few years, and received their applications which helped us a lot in writing the application for the grant. First of all I want to give you some of the history behind the RAISE grant. The city has applied for this grant before when it was known as the TIGER and BILL grant. The TIGER grant was under President Obama and the BILL grant was under President Trump, and it is now known as the RAISE grant, which is Rebuilding America's Infrastructure with Sustainability and Equity. As we have looked at what they have done with this grant in other cities as well as other projects that are related to this, it is about improving our trails, our parks, and really just outdoor activities. With COVID, it was realized that was very important because we don't know if we can always be in a building to do activities with people around us one on one. The U.S. Secretary of Transportation has said with the RAISE grants we are making those needed investments for our community's future. So, most of the grants that we are receiving or looking at right now all talk about the future and what they are calling the future. If we have another pandemic or another episode of that magnitude and that is how we have to think from*

here on out when we are submitting and asking for grants and asking for funding because everything is changing from how we once knew it. We will have to submit the grant by Friday, July 9, 2021 and we should know by November 22, 2021 whether or not we have received the grant. In the RAISE application that the City of Jonesboro is applying for is 26 miles of a 46.2 mile multimodal trail. This project will develop a partnership with Arkansas State University and the city. It will connect ASU to downtown and north Jonesboro. It also focuses on redevelopment in and around the opportunity zones and addresses some of the issues with our environmental concerns that we currently have in the city. If awarded the funding it will benefit so many in this area, not just Jonesboro, but Northeast Arkansas. The project would replace poor road ways, improve drainage to prevent flooding, and give the area better internet access. I also think there will be other funding coming forward that I think will tie into this grant if we get this one. Once the trail is finished we can have safe biking, walking/running trails with the benefits of having rest stops and drinking fountains, emergency call centers, and seating with shade along the trail ways.

As you look and see the country and where it is moving I think you will realize we have so many trails that are popping up in different areas. As you look at this map you can see the connectivity of the entire trail with the current parks in the northern region of Jonesboro, once this is completed don't be surprised if this doesn't lead into something regional, not just here in Jonesboro and Craighead County.

There will be eight phases. We are on the first phase and half of the second phase. We received money from ARDOT in 2018, 2019, and 2020, and we have also applied for money for the 2021 grant cycle. Once we have all of that money we will be able to complete phase one and phase two. We are actually ready to complete phase one now. I really do think that we will get the TAP grant, I am not too concerned about that. The next phase would be three. This phase will be very exciting. You will see people come into this town wanting to see it, between this phase and the Veterans Village you are going to have visitors come from all over. What you are seeing here is an overpass, and what we are going to call it is the Veterans Wall of Honor. Phase four would go from University Heights to Red Wolf Way Trail leading to the Joe Mack Campbell Park. Phase six will consist of Hilltop and Prospect Road. Moving from the Northside Park back to the Hilltop area trails will continue on with activity along the way. Going into phase eight on the north loop will bring you back to the Joe Mack Campbell Trail. There will be internet hotspots along the way. This project is estimated to cost \$31 million. Right now we have funded approximately \$2.5 million. There are several different funding options out there, the money is there and we might as well apply for it because someone else is going to get it and might as well be us, we are going to have to pay for it anyway. There are different funding sources available such as: The State of Arkansas, additional Federal Funds, private donors, foundations, private grants and sponsorships. We discussed sustainability and I don't see any problems there. The Jonesboro Parks and Recreation Department currently maintains 30 miles of trails throughout the city. If there is a problem I do believe that we can have sponsorships for this area of the trail and I think people will be happy to sponsor a clean-up along that trail. So, I just want everybody to remember that this funding on this loop that we are asking for right now the \$20 million is just for the north area of the trail, but we will continue to look for funding for the southern part of the trail. You, also really need to remember this, because it does not mean that it has to stop here. We have some regional bike trails that are being developed right now as I speak and if we want to bring people in here and we want to do something to boost are economy, let's get in with those regional bikers and get it going. I need your support, I may be calling you, depends on where we get with this grant, if I call you and ask for your support I would greatly appreciate it if you would give it to me.

Mayor Copenhaver thanked Ms. Burkett for her presentation and work on this project, and acknowledged Engineering Director Craig Light, as well as others that have had input in the planning of this project. Support letters have been written by the Governor of Arkansas, Congressman Crawford, and Senator Boozman, our local Legislators, as well as our area hospitals and the Chamber of Commerce. Councilmember Chris Moore also thanked Ms. Burkett and stated that all of his questions had been answered. Ms. Burkett also thanked the staff in the Community Development Office. This was not just a one staff project it took everyone in there, Lakyn Williams, Tonya Hass, Katlyn McCoy, and Brenda Hall. We have all worked very closely on this. Like I said, it is not a one person show.

**A motion was made by Councilperson John Street, seconded by Councilperson Joe Hafner, that this matter be Passed . The motion PASSED with the following vote.**

**Aye:** 11 - Ann Williams;Chris Moore;John Street;Mitch Johnson;Chris Gibson;Charles Coleman;Bobby Long;Joe Hafner;David McClain;LJ Bryant and Brian Emison

**Absent:** 1 - Charles Frierson

Enactment No: R-EN-122-2021

[COM-21:031](#)

PRESENTATION GIVEN BY COMMUNITY DEVELOPMENT AND GRANTS DIRECTOR REGINA BURKETT ABOUT ONE JONESBORO, A QUALITY OF LIFE AND CONNECTIVITY PLAN

**Attachments:** [Presentation1](#)

Read

## **6. NEW BUSINESS**

### *RESOLUTION TO SET A PUBLIC HEARING*

[RES-21:120](#)

RESOLUTION SETTING A PUBLIC HEARING FOR INDUSTRIAL DEVELOPMENT REVENUE BONDS

**Attachments:** [Notice-Hearing](#)  
[Resolution.wpd](#)  
[Ordinance.wpd](#)  
[Lease](#)  
[Indenture](#)  
[Guaranty](#)  
[BPA](#)  
[Pilot](#)

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



**Aye:** 11 - Ann Williams;Chris Moore;John Street;Mitch Johnson;Chris Gibson;Charles Coleman;Bobby Long;Joe Hafner;David McClain;LJ Bryant and Brian Emison

**Absent:** 1 - Charles Frierson

Enactment No: R-EN-123-2021

### ORDINANCES ON FIRST READING

[ORD-21:026](#)

AN ORDINANCE TO THE CITY OF JONESBORO TO PLACE VARIOUS TRAFFIC SIGNS AT DESIGNATED LOCATIONS AS DETERMINED BY THE TRAFFIC CONTROL COMMITTEE

*Councilmember John Street motioned, seconded by Councilmember Chris Gibson, to suspend the rules and offer ORD-21:026 by title only. All voted aye.*

**Held at one reading**

[ORD-21:027](#)

AN ORDINANCE TO AUTHORIZE THE CITY OF JONESBORO TO UN-RESTRICT THE REMAINING CAPITAL IMPROVEMENT FUNDS, ORIGINALLY ALLOCATED FOR 2016-2020 STATEWIDE TRANSPORTATION IMPROVEMENT PROJECTS (STIP) AND ACCOUNT FOR THEM IN GENERAL FUND UN-APPROPRIATED RESERVES AND DECLARING AN EMERGENCY

**Attachments:** [Steve Purtee Email to Joe Hafner about STIP committment 06252021](#)

*Councilmember Joe Hafner asked that ORD-21:027 be read in it's entirety because it has an emergency clause on it. City Attorney Carol Duncan read ORD-21:027 in it's entirety.*

*Councilmember John Street motioned, seconded by Councilmember Joe Hafner, to suspend the rules and waive the second and third readings. All voted aye.*

*Councilmember Chris Gibson motioned, seconded by Councilmember Mitch Johnson, to adopt ORD-21:027. All voted aye.*

*Councilmember Chris Gibson motioned, seconded by Councilmember Ann Williams, to adopt the emergency clause. A roll call vote was done: Emison-Aye, Coleman-Aye, Moore-Aye, Williams-Aye, Gibson-Aye, Street-Aye, Johnson-Aye, Bryant-Aye, Hafner-Aye, Long-Aye, McClain-Aye, Frierson-Absent.*

*Mayor Copenhaver expressed that these funds were restricted for STIP in 2016 through 2020 for funding projects that were approximately over \$90 million that came back to our community and the city appropriated and set-back these funds. Some of which were obligated and used through the city street department. So, basically what we are doing is un-restricting the funds that were left over to go back into the general fund so that it can be allocated for something else.*

*Patti Lack, 4108 Forest Hill Road. This was also announced in the Finance meeting last week. I guess what my question is, why have we waited so long to move this money and why the emergency clause? Mayor Copenhaver explained that from an accounting stand point this is just a zero budgeting line item. It's not going to change anything in the balance sheet. It was already approved. Legislative Audit also recommended that we use this procedure. With that being stated Mayor Copenhaver asked Finance Director Steve Purtee if he would follow up on that. Mr. Purtee*

*explained simply that in 2016 we appropriated \$7.8 million and moved that to the capital improvement fund. At that time, we started obligating these projects and budgeting and spending relative to the expenditure requests through ARDOT. For the first three years, we facilitated that through the Capital Improvement Fund. After that, it was determined that these are funds that are eligible for street turn-back. So, at that time in 2019 when the budgeting process was being accomplished, we effectively reallocated these funds through the Street Fund and spent the remainder of that portion through there. Simply, the result is at the conclusion we had about \$4 million in restricted capital improvement funds that do not have a purpose, they do not have an obligation, the obligation has been fully satisfied through the conclusion of this budget year. Very simply, Legislative Audit recommended that we unrestrict those funds so that we would not have a future obligation tied to that \$4 million. What these can be used for, they will be generally unappropriated funds, through our Council action we can appropriate those moving forward. Primarily, it will go to add to the balance of our reserves on-hand, if you will. And, if you will recall in the financial reports later this evening you will see in there that we have available reserves exceeding \$19 million relative to that. We have a reserve requirement which is stipulated based on year expenditures of a little over \$8 million so, our \$27 million in reserves we have free or available after this action about \$19 million. Councilmember Joe Hafner said, the emergency clause is so that the Legislative Audit can schedule their closing meeting date and the audit finished and sent to the State Legislator to be approved. Basically the financial continuity is to just keep the audit moving forward so the year can get closed out. It is not because we are in a dire situation.*

**A motion was made by Councilperson Chris Gibson, seconded by Councilperson Mitch Johnson, that this matter be Passed . The motion PASSED with the following vote.**

**Aye:** 11 - Ann Williams;Chris Moore;John Street;Mitch Johnson;Chris Gibson;Charles Coleman;Bobby Long;Joe Hafner;David McClain;LJ Bryant and Brian Emison

**Absent:** 1 - Charles Frierson

Enactment No: O-EN-023-2021

[ORD-21:029](#)

AN ORDINANCE TO AMEND CHAPTER 117, ARTICLE III, KNOWN AS THE ZONING ORDINANCE OF THE CITY OF JONESBORO, ARKANSAS, PROVIDING FOR CHANGES IN ZONING BOUNDARIES FROM C-4, LUO, NEIGHBORHOOD COMMERCIAL DISTRICT TO C-3, GENERAL COMMERCIAL DISTRICT FOR PROPERTY LOCATED AT 5441 and 5443 SOUTHWEST DRIVE AS REQUESTED BY JOHN EASLEY OF ASSOCIATED ENGINEERING ON BEHALF OF DAVID AND DEBORAH HARTSHORN

**Attachments:** [Staff Summary - City Council](#)  
[Rezoning Plat](#)  
[Application](#)  
[Conceptual Site Plan](#)  
[Signed Property Owner Notification](#)  
[USPS Receipts](#)  
[Vicinity Map](#)

*Councilmember John Street motioned, seconded by Councilmember Mitch Johnson, to suspend the rules and offer ORD-21:029 by title only. All voted aye.*

*Steve Floyd, 5421 Southwest Drive, said, my sister, Lisa Bowers who is here and I also*

own the property that borders the Hartshorn property to the north and the east, all of our property is zoned residential, then there is the Clearview Subdivision to the west that is also all residential. We believe that his intent on the rezoning is to build mini storages on this property and that is going to drastically affect our property value if that happens. I have a list of several people that live around this property that are opposing it. There are mini storage units about a quarter-mile down the road on Southwest Drive and I really don't see the need for more. We have problems with the commercial property that is there now, and every time I mow I have to pick up trash. The fences that are around the commercial property is dilapidated. The trash items that I have to pick up are boards, nails, tractor tires, etc. We just really don't need this right now and I am asking you to deny this request. John Easley of Associated Engineers who is representing David and Deborah Hartshorn, said, we met with the Planning Commission two-weeks ago, while there was a few people that spoke out against it, we did have one family speak out in favor of it. They would like to see this type of building versus standard commercial. It is mini storages, it will be quiet commercial and hardly any traffic. The Developer of the mini storages has an eye for building as far as what type of buildings he builds and we ask that you approve this request.

#### **Held at one reading**

#### [ORD-21:030](#)

AN ORDINANCE TO AMEND CHAPTER 117, ARTICLE III, KNOWN AS THE ZONING ORDINANCE OF THE CITY OF JONESBORO, ARKANSAS, PROVIDING FOR CHANGES IN ZONING BOUNDARIES FROM R-1 SINGLE FAMILY RESIDENTIAL TO I-2 GENERAL INDUSTRIAL DISTRICT FOR PROPERTY LOCATED AT 6609 C.W. POST ROAD, JONESBORO, AR AS REQUESTED BY JOHN STUCKEY.

**Attachments:**     [Staff Summary - City Council](#)  
[Rezoning Plat](#)  
[Application](#)  
[Nettleton School District Email](#)  
[Notification Signed](#)  
[Pictures of Rezoning Signs](#)  
[USPS Receipts](#)

*Councilmember John Street motioned, seconded by Councilmember LJ Bryant, to suspend the rules and offer ORD-21:030 by title only. All voted aye.*

*Councilmember Chris Moore asked if this was the property that they intend to mine the dirt off of. Planning Director Derrel Smith said that they have not told us anything about mining. The only thing they have done is ask for a rezoning, since it is in the industrial area growth area the Planning Commission approved it. To do any kind of mining they would have to get permits through the State and I am not sure that our zoning allows mining in an I-2 zone. Councilmember Moore said that he understood the article in the paper to say that they were going to mine the dirt off of this property for another project out there. Director of Engineering Craig Light explained that was correct. The applicant at the MAPC meeting did say their intent was to remove material from this site to place on other properties that they owned. This site is all located in the floodway so, they are not going to be able to build a structure on the property. But, they can do some grading activity onsite that would be consistent with the flood plain requirements. So, they would have to get a permit through ADEQ for a mining operation. It is my understanding that I-2 did allow for mining, but I could be wrong. Councilmember Moore said that brings me around to my second round of questioning. Do we allow the mining of material in the city limits? Mr. Smith explained that we do have some places that do have active mining operations. Councilmember Moore asked if the city issues*

a permit for this. Mr. Smith replied that those are issued through the State. Councilmember Joe Hafner said that when he was looking at the staff report Craig did say that he thought the I-2 would allow for a mining permit if ADEQ approved it, and that the city does own some pits on Barnhill Road where we borrow material for the same reason. So, if they are planning to mine and I-2 is not the correct classification does that need to be changed? Mr. Smith explained that he would have to go and look and that he was not sure that we have a zone that just allows mining on the property. If it is allowed it would be under a conditional use permit. So, if they get it zoned I-2 they would probably still have to come back for a conditional use permit. Councilmember Hafner said, if it gets rezoned as an I-2, they would have to come back in front of the MAPC, ask for a conditional use permit, and then go to the ADEQ and actually apply for the mining permit.

City Attorney Carol Duncan said, keep in mind on a rezoning we really are not allowed to ask them, they just volunteered some information and that is how the discussion came up at MAPC. Mr. Smith said the property itself should probably be I-2, because it's in the industrial park. Councilmember Hafner said, okay. Mr. Smith said, as far as the operation, we will have to wait and see if the zoning is approved if that operation is even going to be allowed or not. Councilmember Moore replied, since we are not allowed to consider the in-use by the proponent can you just give us a general list of items that are allowed in I-2? Mr. Smith said, most of your heavy industries, concrete plants, the rail industry, and any manufacturing. There is going to be a lot of uses out there but, I am not sure just allowed by writ I don't know if mining is allowed. I am pretty sure that it is conditional. Councilmember Moore said, okay. Councilmember Bobby Long asked if that was something that Mr. Smith could verify, he said "yes", and would get back with them. Councilmember Long also asked Mr. Smith if he could also find out the process they would need to go through in order to make that happen, if they get a permit so that we can decide if that is the best thing to do or not? I just want to make sure that we are on the right track instead of, it's allowed, or I am pretty sure that it's allowed or that it's not allowed. Mr. Smith said, the zoning is correct for the area. Now, whether the use is going to be allowed out there I'm not sure. Councilmember Long said, okay. Councilmember Hafner explained that the other issue is that it is in the flood plain and they can't build a building on the site. Is that correct Mr. Light? Just for the record Mr. Light acknowledged that that is right. Councilmember John Street stated that the site was just over 11-acres, he asked Mr. Light if a retention pond could be put out there. Mr. Light said yes, it could most certainly be used as a retention or detention pond and it is privately owned property and would not be maintained by the city.

#### **Held at one reading**

#### [ORD-21:031](#)

AN ORDINANCE AMENDING CHAPTER 117, KNOWN AS THE ZONING ORDINANCE PROVIDING FOR CHANGES IN ZONING BOUNDARIES OF JONESBORO, ARKANSAS, FROM R-2, MULTI-FAMILY LOW DENSITY DISTRICT TO C-3 GENERAL COMMERCIAL DISTRICT FOR PROPERTY LOCATED AT 3003 KINGSBURY DRIVE AS REQUESTED BY DUYN TRAN, OWNER.

**Attachments:** [Staff Summary - City Council](#)  
[3003 Kingsbury D-Rezoning Plat](#)  
[Rezoning Plat](#)  
[Application](#)  
[Answers to Questions](#)  
[Conceptual Layout of Building on Property](#)  
[Craighead Property Card](#)  
[USPS Receipts](#)

Councilmember John Street motioned, seconded by Councilmember LJ Bryant, to suspend the rules and offer ORD-21:031 by title only. All voted aye.

**Held at one reading**

## **7. UNFINISHED BUSINESS**

### ORDINANCES ON THIRD READING

#### [ORD-21:021](#)

AN ORDINANCE FOR A PRIVATE CLUB PERMIT FOR IMPROVING LIVES, INC. d/b/a THE SOCIAL OF JONESBORO TO BE LOCATED AT 1004 CHANCERY LANE, JONESBORO, ARKANSAS

**Attachments:** [The Social Improving Lives Private Club Application\\_Redacted](#)

*Bob Hester, 709 CR 336, said, I learned something from the past 20-years while attending the ABC hearings in Little Rock, and attending the city's council meetings here regarding alcohol permits. What I have learned is that alcohol proponents always get their way. I always wondered why that is so especially when alcohol is such a destructive product. Alcohol is not a food and has no compensating value for internal use. It is not a beneficial stimulate nor an aid to digestion, it is a poison, a dangerous poison. We know why sellers want to sell it but, why do logical men and women want to sell this poison for the very purpose of being consumed by the public. Be assured when you vote for approving these permits you are approving the selling of poison to be consumed by the public, and again we are talking about alcohol here. This business can operate without alcohol, is it not ironic that the name of this business is The Social, improving lives. Some say there is not enough alcohol consumption at these establishments to hurt anything. But, what about endangering the public while driving from those so called private drinking clubs among other things. Just how much alcohol does it take before you are driving impaired? According to this BAC chart one drink for women will significantly affect the driving skill of a woman weighing 90 to 100 pounds, and two drinks will significantly affect a woman weighing 140 to 240 pounds. For men one drink will significantly affect the driving skills of a man weighing 100-pounds. However, two drinks will significantly affect the driving skills of a man weighing from 120 to 240 pounds. So, what constitutes a drink, 2.5 ounces of 80-proof alcohol, 5-oz of table wine, and 24-oz of beer, which typically is two cans. At the bottom of this chart the only safe driving limit is -0- alcohol. I've heard the statement that the City Council should not deny alcohol permits because you have granted other permits so, it would not be right to deny one. There is no such rule like that because a rule like that would be ridiculous. Such a rule would leave the public out of any decision making the process of bringing alcohol to Jonesboro, especially after the first permit was granted. One of the criteria for denying or granting a permit by the ABC Board is whether an area is adequately served with alcohol with alcohol outlets. Currently there are 36 active alcohol permits in Jonesboro and if Jonesboro is not adequately served at this point it*

*never will be. On something as serious and dangerous as alcohol sales in a dry county the public deserves to have a reason why these permits are granted. You as a council have almost voted unanimously for these without giving any good reason as to doing so. How can you make a decision without any rational reason for doing so, is that the way a body representing the public should conduct business? Is the council here to represent the people who voted for them or here to help promote alcohol sales in a dry county? If there is a good reason for granting this permit tell us. You as the council not only have the right but the responsibility to represent the people who elected you and not a special entity. I ask you tonight to do the right thing and vote against this permit.*

*Jim Lyons, 3608 Augusta Cove, said, I represent Mr. Higgins and the private club applicant, which is The Social. The establishment will be located in Greensboro Village. They only require 100 people to become members. They have a list of over 212 people who have ask to become members of this club. It is in an area where they are building restaurants, it is an area that is developing, and it is an area where this is desired. Those 212 people cannot be husbands and wives. So, there is over 300 people who favor this business being placed in Greensboro Village. It is our belief that the area is growing. The medical school has gone in and we need additional restaurants. We understand that some people have an objection based on religious grounds against alcohol but that is not a valid reason to deny a permit. This is a permit that is desired by the people or there wouldn't be over 212 people who signed and thus probably over 300 to 350 people in favor of this. It is our belief that this is something that will help develop Jonesboro and would be a benefit and therefore it should be granted.*

**A motion was made by Councilperson Mitch Johnson, seconded by Councilperson Chris Gibson, that this matter be Passed . The motion PASSED with the following vote.**

**Aye:** 11 - Ann Williams;Chris Moore;John Street;Mitch Johnson;Chris Gibson;Charles Coleman;Bobby Long;Joe Hafner;David McClain;LJ Bryant and Brian Emison

**Absent:** 1 - Charles Frierson

Enactment No: O-EN-024-2021

[ORD-21:022](#)

AN ORDINANCE TO THE CITY OF JONESBORO TO PLACE VARIOUS TRAFFIC SIGNS AT DESIGNATED LOCATIONS AS DETERMINED BY THE TRAFFIC CONTROL COMMITTEE

**A motion was made by Councilperson John Street, seconded by Councilperson Mitch Johnson, that this matter be Passed . The motion PASSED with the following vote.**

**Aye:** 11 - Ann Williams;Chris Moore;John Street;Mitch Johnson;Chris Gibson;Charles Coleman;Bobby Long;Joe Hafner;David McClain;LJ Bryant and Brian Emison

**Absent:** 1 - Charles Frierson

Enactment No: O-EN-025-2021

[ORD-21:023](#)

AN ORDINANCE REGARDING ABANDONING AND VACATING A UTILITY EASEMENT IN A PART OF LOT 2 OF STATON MINOR PLAT ON WOOD STREET AS REQUESTED BY MICHAEL BOGGS FROM TRALAN ENGINEERING ON BEHALF OF C3, LLC



**Attachments:** [Petition](#)  
[RESOLUTION](#)  
[ORDINANCE](#)  
[utilities](#)  
[Utility Easement Eng&Plan](#)

**A motion was made by Councilperson John Street, seconded by Councilperson Mitch Johnson, that this matter be Passed . The motion PASSED with the following vote.**

**Aye:** 11 - Ann Williams;Chris Moore;John Street;Mitch Johnson;Chris Gibson;Charles Coleman;Bobby Long;Joe Hafner;David McClain;LJ Bryant and Brian Emison

**Absent:** 1 - Charles Frierson

Enactment No: O-EN-026-2021

[ORD-21:025](#)

AN ORDINANCE TO AMEND THE JONESBORO CODE OF ORDINANCES CHAPTER 2 ARTICLE 3, ENTITLED CITY COUNCIL, ESTABLISHING CITY COUNCIL RULES AND PROCEDURES FOR 2021

**Attachments:** [Council Rules FINAL 07062021 - Exhibit A](#)  
[Citizen Comments\\_ORD-21-025](#)

*Councilmember Bobby Long motioned, seconded by Councilmember LJ Bryant to amend Section 2-87, (b)(8) on Page 6, to strike the second sentence, "There shall be a maximum of four persons per side for proponents and opponents to speak for or against." All voted aye.*

*Councilmember LJ Bryant motioned, seconded by Councilmember Joe Hafner, to amend Section 2-87, (b)(2) on Page 5, to strike "his" and replace with "the." All voted aye.*

*Councilmember Bobby Long motioned, seconded by Councilmember LJ Bryant, to amend Section 2-87, (b)(8) on Page 6, to strike "with no redundancy." All voted aye.*

*Councilmember John Street motioned, seconded Councilmember Mitch Johnson, to adopt ORD-21:025. All voted aye except Councilmember LJ Bryant who voted nay. Councilmember Charles Frierson was absent.*

*Councilmember Bobby Long commented that he would make the same motion as he did at the last council meeting striking the comment limiting the number of people who can speak on a particular ordinance. I gathered from the Mayor's comments at the last meeting that the intent was not to silence the people, and this may be true. However, this is exactly what this does. Yes, people can e-mail us, they can call us and they can text their concerns or their views. However, those that want to go on the record and on video with their comments, we are silencing everyone but four people. I think back to the many times that people who spoke for and against re-naming Johnson Avenue, or the multitude of people who stood in front of us and voiced their opinion on the sales tax and rezoning issues.*

*There are a whole host of different issues and regardless of the intension there is not a citizen in Jonesboro who does not deserve the right to stand before us, go on record and make their position known on anything we discuss in these chambers. How can*

*we stand before people and ask them for their vote reassuring them that we will listen to them then codify the means to silence them? I had to ask myself why we are codifying a provision to limit public comment with the anticipation of suspending the rules and allowing our citizens to voice their opinion. Too me this is just the opposite of what we should be doing, this is wrong on many levels but most importantly it is fostering a division and a mistrust between the people and the government they elected to represent them. There are already procedural methods that any councilmember can utilize if they believe the debate has gone on too long in any meeting. A councilmember can move the discussion to stop if others feel the same way, they can get a second and then the other councilmembers can vote to affirm the end or to continue discussion. I want to go on record again and say that I think we are moving in the wrong direction when we start codifying provisions that under-mind and erode one of the most fundamental interactions between the people and the Government they elected. Government should be embracing and increasing opportunities for people to be heard rather than looking for ways to restrict them. We have an opportunity to let people know where we stand on an individual basis as a council regarding the importance that we put on their opinion. If that means listening to 100 people in a row state their opposition to an ordinance or their approval of the same, then that is what I signed up for when I ran for office. If they want to take time out of their day to come here wait in line just to say no more than I am for or against this ordinance then I feel it is my duty to take note of who they are and what their opinion is. So, with that said I move that the second sentence of item-8 under sub-section-b of section 2-87 of division 2, which reads: there shall be a maximum of four people per side of opponents or proponents to speak for or against be stricken from the proposed ordinance.*

*Councilmember Chris Moore commented that he is in favor of the three minute time limit. That is the first thing that is stated in that. I do agree with Councilmember Long that too pull a number to say three or four, two or six arbitrarily and does seem to impose a restriction on public speech. As pseudo- parliamentarian I can tell you that in the precedence of motions, precedence number six is the ability to limit debate. So, if we get into a situation that where have redundancy or there is a time constraint we can always limit debate at that time. Councilmember Chris Gibson stated that he wanted to make a quick comment as well. As the one who drafted these changes and some of my though process during the course of this. One thing that I don't know if it was addressed at the meeting, is that one of the changes that we were making in these rules, now if anything comes before this council from committee it comes with the committee's endorsement. It is supposed to be vetted at the committee level and I was trying to encourage the community to come to those committee meetings so we could actually get ahead of the curve before it comes to this council. So, that being said, I am not opposed to any changes that are presented on the floor, but I just wanted that to be known as well. Councilmember Moore commented that in support of what Councilmember Gibson said, I would also say at committee meetings in lack of any other rule they follow they follow the council's rules. So, in committee we will be following the same rules that we are following in council.*

*Councilmember LJ Bryant noted that on page-5-b-2 suggest that the Mayor is always going to be a "HE", which might not always be the case. So, that maybe should be looked at as well. Mayor Copenhagen also commented in saying this is what it is all about, a discussion and this is the way the community responds, and it is all about the open opinion of the community. I did do some background work in our previous discussion in the meeting to move this on to council and in discussion with other communities most of them have a three minute public speaking time limit. Some communities are much more structured then what we are, as well when it comes to*



length of comments. Batesville, Conway, and Little Rock have no discussions during a meeting. You find out a lot of interesting things about what other communities do. But, most of them are limited to two to three minutes but of course we want to hear everybody's word and voice. So, whatever you choose to do today I commend and we will move forward.

Beverly Parker, 3803 Sawgrass, said just for my clarification and perhaps the people behind me. The second sentence has been scratched however, the redundancy issue remains. It really pains me to come and talk to you all this evening about this. But, you know we are talking about our democracy and I believe that individuals that wish to speak to this body is central to our democracy and in a time when our State and Federal level is so full of acrimony I think it's even more important that people at the local level be able to speak. There are people that get to speak but, for the common man this is the place that they have to come and let their voice be heard and I think most of you know what I am talking about. So, I believe that to make judgements as to whose presentation is redundant places the Mayor and Council on a slippery slope. Just because it's over the same subject does not necessarily mean that it is redundant. Because by virtue of different people's lived experience, their viewpoint, and their education are not that they all come to an issue at different points with different viewpoints, and those viewpoints should be heard. I have only been engaged with this body for the past seven or so years but, I came to it in regards to the sidewalk issue and I want to use that as an example. Many of you remember that this was an extremely long and hard fight to get to where we are. There were those in the community that held sway for years of the issue and the only way that change was made was that many people with dogged interest and determination showed up in force to ask for that change. During those discussions with many of you that sit here tonight I was told by more than one of you that the best way to fight for change is to show up and speak out. So, on the sidewalk issue that is what happened and if you will remember that took almost two years by the time it went through all of the processing. I would like to ask you who knows when there may be a similar issue when really the citizens are behind an issue and they need the ability to speak and to make their voices known. I am asking each of you to vote "no" on this rule change. I do not think it's good for a democracy. I don't think it is good for our city. I appreciate what you are doing, in particular to Councilmember Gibson's comments about why. But, all-in-all I really hope that you reconsider this in fairness to the public.

Councilmember Joe Hafner asked Mayor Copenhaver if the redundancy was already a part of the rules. The Mayor said yes, but we added that comment into the three minute speaking rule as well.

Patti Lack, 4108 Forrest Hill Road, said I agree with Beverly Parker. If there is a hot issue with us, we have already planned out who is speaking. Please do not take away our right to speak from our heart.

Anna Williams, 604 Mardis Drive, said I would like clarification as to whether or not on the limit of four people has been taken out.

Representative Brandt Smith, 3501 Ridgeway Circle, said, I appreciate Councilmember Long's amendment and the support that I have been hearing tonight. I think this is a valuable discussion, I think it's where government, elected government by our people in Jonesboro actually can come together, whether we agree or disagree this is where it happens and I value that. I am opposed to a lot of the rule change that I see, maybe even down in Little Rock in the House of Representatives. But, sometimes those rules don't need to be changed especially if the perception is that our

constituents, our residents are losing the ability to speak what is on their heart and mind. So, tonight I am glad that we have the amendment that you've brought up, I think that makes what you are wanting to do better, but I would just caution all of us we need to be very careful when we are working with the public. You know, you have been in that seat, you know what that is like. Decisions are made every day and sometimes I get it wrong. But, I do not want to infringe on someone's 1st Amendment Right, it's awfully hard to undue what's been agreed upon and voted in. So, we just want to proceed carefully and I appreciate the thought and concern you are giving this ordinance.

Roger Kidd, 3718 HWY 463 South, said, I'd like to thank the Council for approving Councilmember Long's amendment. It is so easy to forget that the 1st Amendment is specifically there to restrain the government. There is three different ways the government can use the 1st Amendment, some examples are defamation, foul language, and violence.

Dr. Bob Warner, 1003 W. Washington, said, I did not come here tonight to be involved in this conversation, but I would like to make a comment. I chair the Land Bank Committee which meets in the noon hour. There are other committees which you all over see that meet at funny times and for the working public to get to some of those meetings is quite difficult. So, what you are doing by passing this amendment is you are putting up a restraint for those people, and Councilmember Gibson I know you had a really good motive so, please don't take this personally. But, I do think that you are not going to have people that will go to those meetings at odd times, they don't understand some of the issues that go on there and people are very comfortable with you all and you should be proud of that as a council. That is why they come here and stand here and talk to you. I've been watching this City Council for thirty years, I can tell you all exactly how you got elected, and I can tell you who got elected when and why. So, I think that over these thirty years I have never seen it difficult for you all to control the conversation. You are good at that and you are being paid for that and so I commend you on how you do that. I would make a comment or two, I think the three minutes is a little bit arbitrary, being from South Mississippi and talking a little slow sometimes I need five minutes to make a point and the point might be something you need to hear. So, I think it's really sort of silly, no offense again, respectfully to say that you can only talk for three minutes when maybe you've got four minutes to make the point in a valid way. I would also tell you that of late I would like to see a little bit more decorum and little bit more politeness from the bench, just because you all do this every couple of weeks some of the people that stand at this podium are uncomfortable, they are not sure what they want to say, they are nervous about it, and so they need to be treated with respect whether they are saying something silly or important. Because, every time that someone is treated with disrespect standing here, what happens is they look at you and say well if they can treat this citizen that way then treat the next citizen that way, which might be me. So, I think that decorum is extremely important, there is no replacement for politeness and respect. The last thing I would just say is that transparency is important, I think if you pass this people can easily make a case that you are not being transparent, that you are trying to hide things and that you don't want to hear what the citizens have to say. The buck stops with you all, you are the last stop before something changes in the city that we all love. So, I would do my job and listen to the public, weigh what they have to say, if they say something you don't like or you don't agree with that is fine but, at least listen to them. If I had my way I would have to withdraw the whole thing, this is not necessary, I have not seen it needed in thirty years.

City Attorney Carol Duncan commented, just to summarize what the motion is,

obviously there are a lot of rule changes in here besides this one in paragraph eight. But, just to summarize where we are right now it reads: There shall be a three minute time limit per person for proponents and opponents of agenda items. The one section takes changes "his" to "the." Councilmember Long asked if someone like Mr. Kelley comes up and talks for three minutes, and then another person comes up to talk can he/she yield there three minutes to Mr. Kelley and continue to let him speak. Ms. Duncan said that is up to council, you make your rules so, I think that any time you can approve that if you choose too. Mayor Copenhaver also commented that as long as I have been here in this community, like Dr. Warner said as well. The council has very rarely, if at all has restricted anybody's comments. I think it's more from the stand point and Brant can attest to this, it is more about filibustering, which is controlling the situation. But, it's not that we don't want to limit that and again, it's all about the people of this community.

Skip Kelley, 3700 South Caraway, said, I agree with Dr. Warner, I don't think there is any need for this. My dad always said, if it's not broke, don't fix it. This is not broke and we appreciate the time that we are allowed to come up here and speak to our city council and our Mayor about subjects that we feel passionate about. Limiting the number of people that are allowed to speak, and to limit their time is not what you are here for. We want to come and voice our opinions, you are doing a great job, you are not doing a great job, we oppose this, we are for this, we want you all to know doing anything to limit a citizen of Jonesboro's ability to speak is detrimental toward what we are all about.

**A motion was made by Councilperson John Street, seconded by Councilperson Mitch Johnson, that this matter be Passed . The motion PASSED with the following vote.**

**Aye:** 10 - Ann Williams;Chris Moore;John Street;Mitch Johnson;Chris Gibson;Charles Coleman;Bobby Long;Joe Hafner;David McClain and Brian Emison

**Nay:** 1 - LJ Bryant

**Absent:** 1 - Charles Frierson

Enactment No: O-EN-027-2021

## **8. MAYOR'S REPORTS**

*I want to give the community an update on the RESCUE Act, and we are eagerly awaiting any further guidance from the Federal Government and we now have an idea that it will be as late as August 31st before they give us additional guidelines on what we can use the funding for under the RESCUE Act for our community. We will continue to keep you updated as we receive the guidelines.*

*We have been working on a few things as well with regards to safety, we have some plans in place that we will be pleased to bring to the public if and when we find out what we can use those for. I am excited, we have two new hires in the city. I want to announce Alan Pillow is the new Director for MPO, and Ronnie Sturch is the new E-911 Director. He held a similar position in Crittenden County.*

*I'd like to thank Cindy Schweitzer and Ronny Stanback for their hard work and loyalty in leading the Sanitation Department during this time. We will soon bring some options before the council for some efficient and a new modernization study to insure that we are providing the best possible services to Jonesboro. It will provide a road map for what we need in our new Director that we would like to see. Chief Operations Director Tony Thomas visited Batesville last week to study their Sanitation Department,*

compare their efficiencies and look for ways to improve services. We have also visited Fayetteville and we've seen other facilities in 1st class composting programs.

My leadership team and I joined JPD Officials this past week in viewing the Memphis Police's Real-Time Crime Center. Their community invested in this with advanced technology and it is used daily as a powerful tool for them to solve crimes. We have seen the power of fixed cameras as it has been instrumental in our community with the arrest of a bank robber. Memphis is a pretty incredible place, they can actually facilitate and hear a gun shot in parts of the community. It tells you where and how many were done, they have over 3,000 cameras in their community. So, again we need to learn from the best, see what they didn't do right and see what was done right so when it is our turn to continue to invest in technology that we are prepared to provide the best services for not only our citizens but our Officers too.

This past week we held the first meeting with the Youth Advancement Council team. We had 39 of the 49 students actually show up. They met all of our Directors and they learned about the scope of the city and what this government does and provides for the city. We look forward to more meetings and learning from them. They were very proactive in the meeting and I would like the City Councilmembers, those that want too to get involved in this.

I want to complement our Parks, Fire, and Police Departments for their work over the 4th of July week-end. It is a busy time for our First Responders as numbers has picked up and I continue to get compliments on their professionalism and their efficiency of the jobs that they do.

Permits for the year is at \$65,000,000 we continue to grow and it's very exciting to see what is happening in our community.

[COM-21:030](#)

MAY 2021 FINANCIAL REPORTS

**Attachments:**      [Financials Overview May 2021](#)  
[Schedule of Changes in F.B. and Required Reserve Report May 2021](#)  
[Schedule of Revenue vs. Expense May 2021](#)  
[Schedule of O&M Departmental Overview May 2021](#)  
[Schedule of Fixed Asset and Cap. Imp. Detail May 2021](#)  
[Deposit Collateralization Report May 2021](#)  
[Sales Tax Report \(Combined\) May 2021](#)  
[State Turnback Report \(Combined\) May 2021](#)  
[Highway Sales Tax Report May 2021](#)

Councilmember LJ Bryant said that he remembers there was some discussion at one time regarding funds after the tornado that might be available to us from the Municipal League Insurance Branch. Has anyone updated on this, maybe I have forgotten if there was an update.

Finance Director Steve Purtee explained that we are still resolving the final three pieces of the tornado claim. It is regarding depreciation adjustments and we should have that in the near future. There were primarily four claims filed in addition to automobile claims. The majority of that was the 1.2-million claim on a property that was destroyed and that is currently sitting in our restricted fund. In addition to that we had a few traffic signals that were damaged or destroyed. We are still working on the depreciation allotment for that and we should have that finalized soon. Councilmember

*Bryant said I guess my question would be and I don't remember what the government version would be called but, the business version would be loss of income provision. I knew there was a thought at one time that we might have a loss of sales tax provision, I know that it was hard to argue it at the time but, was there anymore discussion around that on whether it as included in the Municipal League coverage or not? Mr. Purtee explained that there has not been any other update relative to that from the Arkansas Municipal League. Mayor Copenhaver commented that while we are on the discussion of the tornado, I want to let you know that the clean-up out at the mall has gone extremely well. We are now moving on to additional steps and conversation because we as a city have got to promote that area and help do what we can to get business to come back to that area, talks are happening.*

**Filed**

## **9. CITY COUNCIL REPORTS**

*Councilmember John Street asked if the walk through at the Veterans Village was still on for in the morning at 10:00 A.M., Mayor Copenhaver said "yes", and we would like for all of the Councilmembers that can attend to please be there*

*Councilmember Dr. Charles Coleman commented on two items. The first thing is: July the 10th we are having another clean-up and it will be the last cleanup for the summer. The second thing is: I have not heard anything back from Johanson Group on whether they are going to get back with us on an updated salary plan or give us a report on starting the review of our current plan. I would appreciate it Mayor if you could check on that and give me an update. Mayor Copenhaver commented that he would and we are following up on that request and I know that Tony Thomas has been in conversation with them as of the latter part of last week. On another note on the city wide trash pick-up we had over 40 tons of trash picked up in the community. That is 80,000 pounds which is pretty incredible. I hope that you has a city has seen the improvements. I know we have a long way to go but, it is about participation and everybody getting involved. We do have another one this week-end and we are looking forward to that as well.*

*Councilmember Chris Moore also commented on the clean-up efforts and I commend you for those. Twenty years ago, the downtown area was in pretty dire straits. Clay Young invested a considerable amount of money at the time and got the ball rolling on the down town area. In the last four to five years there has been 40 to 50 new buildings built in the downtown area, mostly housing for residential use. The majority of those has been built in the last three years, now I am concerned, I live down town by choice as does Dr. Warner and his wife as well as several of the West End Neighborhood Associates who are present tonight. I am concerned about that ball which is on a roll may come to a stop if we don't do a little better with Code Enforcement. This past week the West End Association called me about a house over on 219 Walnut and I went and looked at it. I have to say it was beyond bad, in conversations with Code Enforcement, and we are going to get a report on that house in a moment, they are working on that.*

*I made the block when I went back to look at that today before the council meeting and just in a two block area of that building which is just six blocks down the street I noticed that at 310 Vine there is an entire house that the roof is caved in, there is no front door on it and it appears to have been in this shape for at least a year, it is across from the old Municipal Building. On the Southwest corner of Huntington and Walnut there is a house that appears to be abandoned. The windows are boarded up and I know that we have a boarding ordinance, I believe it gives you six-months in*

order to come in and buy a permit and address that. There is numerous lots in the down town area, including two in the 1100 block, two at 204 and 206 Olive that haven't been mowed this year, they are four feet high. At 706 Culberhouse, there is a complete apartment complex that the roof is caving in and it is also boarded up, I do not know if that has fallen into the six month time period at this time. At 1325 West Monroe, it also appears that it has been boarded up and abandoned for the past several years, it is a residential structure as well. On the Southeast corner of Chestnut and Burk there is a ten foot stockade fence built on the front of the house along the edge of the road, it is built up out of pallets and sheet metal and behind that there appears to be hundreds of pallets and other debris just piled up. At 116 Chestnut, there is also a structure boarded up and abandoned. So, after Code Enforcement gives us an update on 219 Walnut, I guess my question is do we need more staff, we maybe overrunning Mr. Tyner's department, I see him shaking his head and telling me yes, if that is the case I assume it's not just the down town area, it is probably in other wards and other areas of the city. We may need to have a pretty serious discussion on adding more manpower to Code Enforcement and those are my concerns. But, first I'd like to have an update on the 219 Walnut structure. Mayor Copenhaver said, before he does that I'd like to give you an update as well. We've been hearing these same concerns and we met with some of the departments just the other day about giving Code Enforcement more ability in their decision making and streamlining the process to give them the ability to do their jobs. We also listened to the West End group, we are going to be doing saturation enforcement that is where all of the Code Enforcement Officers will be in one area of the city at one time and that way we are not overlooking things.

Director of Code Enforcement Mike Tyner stated in reference to 219 Walnut. We have had a case open on that since March 26, 2021, it was a self-initiated case from one of my Officers. I received your e-mail and it had a picture of the two giant trailers full of junk, I kind of got excited for a moment thinking alright he's getting cleaned up.

Prior to that you could barely see the house for all of the in-operative vehicles and all of that. We have been working with the occupant there and he has located a commercial property to run his business out of. But, we have found that people with limited resources issuing a citation and taking away some of those resources in forms of fines and court costs prolongs the clean-up efforts. So, we have been working with them the last three months to get that area cleaned up. As for the building on Jefferson being boarded up the bank just recently took repossession of that one. We have had a boarding and securing letter out on that and my officers have been tracking that one. The other properties if we don't have cases on them already we will have. I'm facing this time of year a pretty significant man-power shortage as far as grass season as you can tell we are running 15 or 20 leans and resolutions at just about every meeting going forward now. We are not standing still, we are trying to put out fires with what resources we have.

Councilmember Moore asked Mayor Copenhaver if there was a possibility that we need to review the fines that are associated with some of this in order to make where you have more resources. Obviously if Code Enforcement is going out spending a full day or more working one case and then having to appear in court then having to be here tonight, maybe we need to review the fines on some of these offenses. Mr. Tyner stated that a lot of the issue to is the time it takes to get a case to court. A lot of the liens you see here you are looking at 18+ man hours just to get it to that point. Once we go out and identify the problem we have to identify the owner, we have got to serve notice on the owner via standard mail, certified mail and a service affidavit to give them time to take care of the problem, if they don't take care of the problem I have got to hire a contractor to perform the work and then he brings me an invoice I send that to

collections, they generate a city invoice that I have to turn around again and mail general and certified mailing affidavit. Dr. Coleman also commented that this is a subject that has been talked about for years. I know that the Administration is trying to assess a lot of things in departments but, I'm listening to all of the paper work that one person has to do and that takes away from the immediate need. I also listen and look at the Beautification Committee as they try to do the best that they can without a lot of support so, I think if we look more heavily at adding more staff to this department. I guarantee if you go to court and you stand there two or three hours it takes away from a whole day. Mr. Tyner stated that the fines and the penalties are not our goal, my goal is compliance. If I can do that and as long as you are making progress and I can gain compliance that is two or three hours that I don't have an officer sitting in court waiting on a Judge, He's out there on the road identifying other problems that need to be addressed. I handle all of the paper work in addition to the Supervisory and Administrative duties in my office so that I can keep my guys out on the road and keep them productive. Councilmember Moore said, but, the fines and expenses, Mr. Tyner, they also have to help you. It can't be one or the other. Mr. Tyner said, no we are not even getting close to breaking even on man hours. Councilmember Moore said, you are telling me it takes 18 hours to work a complaint. What is the fee that the city charges in addition to the contractor's price? Mr. Tyner said, we charge the \$100 administrative fee which was set by the council, and then there is a \$15 filing fee for when we file the lien at the county. Councilmember Moore said, so you are telling me you spend 18 hours working a case and the city recoups \$100? Mr. Tyner said, yes sir. Councilmember Moore commented, there is a severe disconnect in the amount of time that you're spending and the actual cost to the city. Mr. Tyner said yes, and it's about \$8 per letter. City Attorney Carol Duncan said and that is for the lien and that is different from writing a ticket to go to district court. Councilmember Moore said, I am just saying we have to be able to recoup our actual cost. If we are spending 18 hours on a job then we are basically being a construction manager, we are hiring a contractor to come clean somebody's property up and then we are charging them \$100 for that. Mr. Tyner said that is one of the issues that we run into as well. A few years ago Carol, Jessica and I sat down and took a look at our ordinance as far as how we do our liens and we had to bring everything in line with State Law and that added an additional requirement of notification every single time before we perform work on that property. So, that essentially made us property managers to the entire city. We have got out of town property owners that won't mow until they receive a letter from us, and that is \$8 a pop and up 6 to 8 man hours up to that point that we are not getting back. Ms. Duncan said, and those are people that you can't really site into district court because you can't get jurisdiction on them because they are out of state.

Councilmember Moore said, so when I drive around and look at the neighborhood down there and I see eight or ten houses that have boarding on those, some of which the boarding is now being painted. Mr. Tyner said that in the boarding ordinance it does say that it can be painted the same or a complimentary color of the exterior of the house. For instance the one on Monroe was boarded, the resident died and we were looking at the legal process to figure out if we were going to have to start a probate on it or hire an attorney ad litem and then it sold at the Land Commission Auction. So, know we are in contact with the new owners trying to get movement on that property. Councilmember Moore said, okay, what is the time limit from the time it is boarded up to the time that the owner has to come in and get a permit. Mr. Tyner said once we give them notification they have got ten days to get it boarded and then after it is boarded they have six months in order to get a permit either to renovate or raze the property. If it doesn't happen within the six months then we move forward with the condemnation process. The issue we've had here recently is, given the economy is the cost of boarding. I have got \$14,000 in my budget to mow grass and board properties

for the entire year and when a single sheet of plywood is \$65 and need eight to board a house that we may condemn, we are trying to be fiscally responsible with the city funds. Councilmember Moore said, I understand that and I am trying to balance the concern of people who are investing in our downtown area with those who are causing the blight. While there are cases in which people need some help or have extenuating circumstances there is a lot of cases in which like the property on Vine it seems it has been like that for years as well as being unoccupied for years. It's not boarded up, the door is standing wide open. Condemnation appears to be the direct path on that. So, if we need to get more help for Code Enforcement, if they need more funds then that needs to be discussed. Mr. Tyner said, and again, not trying to make excuses, the back log that we are it with right now we are suffering in that area. Councilmember Moore said, when I was able to make ten cases for you in five minutes that tells me your work load is huge and I am not demeaning that in any way. I am just trying to find a path forward that will quickly expedite those concerns.

Councilmember Ann Williams wanted to know if there has been any update on the Citizens Bank Building. Mayor Copenhaver stated again, Mr. Tyner and I have had conversations regarding this and hopefully we will be giving you and update on that in the next week or two.

Councilmember Chris Gibson explained that back in January there were some conversations initiated regarding some industrial heaters to extend the swimming season to recruit people into the area swim meets and things can you send me an update on that at some point this week?

## **10. PUBLIC COMMENTS**

Beverly Parker, 3803 Sawgrass. I just want to say in support of Chris Moore's comment is yes, there is help needed. But, I also want to make another point and that is these properties don't get this way overnight and I think part of our issue is that we have to start up-hill. There are ordinances that are not being maintained if you will or enforced, I will just use dumpsters as an example. Dumpsters at apartments, dumpsters throughout our city, yes it is beautification but, it also goes back to blight and preventing blight. I would just ask that we think about this and also not just about controlling the situations that are really, really bad. We need to figure out a way that we can move up-stream and prevent this things from getting so bad.

Patti Lack, 4108 Forrest Hill Road. I just wanted to say it is exciting to hear that there is going to be a walk-through of the Veterans Village. Can you tell me if the city is going to be running that? Mayor Copenhaver stated that we are working on that right now and are coordinating efforts on that with Arkansas State University. Ms. Burkett is doing a great job on that and we will try to have you an answer on that tomorrow. Ms. Lack said, okay.

## **11. ADJOURNMENT**

**A motion was made by Councilperson Chris Moore, seconded by Councilperson Joe Hafner, that this meeting be Adjourned . The motion PASSED with the following vote.**

**Aye:** 11 - Ann Williams;Chris Moore;John Street;Mitch Johnson;Chris Gibson;Charles Coleman;Bobby Long;Joe Hafner;David McClain;LJ Bryant and Brian Emison

**Absent:** 1 - Charles Frierson



\_\_\_\_\_ Date: \_\_\_\_\_

**Harold Copenhaver, Mayor**

**Attest:**

\_\_\_\_\_ Date: \_\_\_\_\_

**April Leggett, City Clerk**