

City of Jonesboro

900 West Monroe Jonesboro, AR 72401

Meeting Minutes City Council

Tuesday, September 20, 2011 6:30 PM Huntington Building

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

SPECIAL CALLED PUBLIC SERVICES COMMITTEE MEETING AT 6:05 P.M.

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

Present 11 - Darrel Dover;Ann Williams;Charles Frierson;Chris Moore;John Street;Tim

McCall;Gene Vance;Chris Gibson;Rennell Woods;Mikel Fears and

Charles Coleman

Absent 1 - Mitch Johnson

4. SPECIAL PRESENTATIONS

COM-11:062 Special presentation to the family of Cecil Province, Jr.

Sponsors: Mayor's Office

Mayor Perrin presented the proclamation commending Cecil Province's community service to the family of Mr. Province.

This item was Read.

COM-11:069 "Pink for the Cure" proclamation to Jane McDaniel

Sponsors: Mayor's Office

Mayor Perrin presented the proclamation to Ms. Jane McDaniel. He proclaimed October 7, 2011, as "Go Pink for the Cure Day". Ms. McDaniel noted the Mayor was the first to do a proclamation, with Governor Beebe following. She explained on October 7th they encourage all businesses to wear pink and pay \$5 on the Susan Komen website. She added due to a Komen grant they, along with St. Bernard's, will be able to provide free mammograms to uninsured women at Southwest Church of Christ on October 7th.

This item was Read.

<u>COM-11:070</u> Housing study presentation by Heather Clements

Sponsors: Grants and Mayor's Office

Grants Administrator Heather Clements gave an update concerning the housing study. She noted the study was paid for by the Residential Housing and Health Care Facilities Board, so it was of no cost to the taxpayers. JQUAD Planning is conducting the study. They are collecting data from other areas, such as the Planning and CDBG Departments and the Vision 2030 work, to include with the study. There are four components to the housing study: a housing market analysis & housing market assessment, property condition survey & neighborhood assessment, housing & neighborhood strategies and recommendations, and housing policies & housing element of 2030 vision. Ms. Clements further discussed each area and stated they have more research to do. She added they will have public hearings and public presentations. Ms. Clements explained there are great implications for the housing study and the data will be available on the City's website. They are hoping to have the study presented to Council in November, at which time they will also submit it to HUD. The final study will be completed in February, 2012, and will also be presented to Council.

Councilman Frierson noted there have been citizen concerns related to converting single family zoning to multi-family zoning. He asked if there is a stopping point to the level of multi-family construction in the City. He questioned if the study will give the City some standards to decide when there is enough multi-family developments. Mr. James Gilleylen, with JQUAD, noted part of the process is to elevate housing policies into the 2030 vision plan that will allow the City to deal with those types of issues. He discussed the City of Chattanooga, Tennessee, in which they did a similar study and started requiring yearly inspections of multi-family housing developments in order to be proactive to make sure the developments were still meeting standards. He explained they will try to apply public policies that will allow the City to address issues.

This item was Read.

CONSENT AGENDA

Approval of the Consent Agenda

A motion was made by Councilman Chris Moore, seconded by Councilman Chris Gibson, to Approve the Consent Agenda. 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; Tim McCall; Gene Vance; Chris Gibson; Rennell Woods; Mikel Fears and

Charles Coleman

Absent: 1 - Mitch Johnson

Minutes for the City Council meeting on September 6, 2011.

<u>Attachments:</u> <u>Minutes</u>

This item was PASSED on the consent agenda.

RES-11:147 A RESOLUTION TO REQUEST FREE UTILITIES AT CITY WATER & LIGHT PARK

This item was PASSED on the consent agenda.

Enactment No: R-EN-104-2011

RES-11:150 A RESOLUTION TO CONTRACT WITH QUALITY FARM SUPPLY FOR

SPONSORSHIP OF A OUTFIELD SIGN AT SOUTHSIDE SOFTBALL COMPLEX

Sponsors: Parks & Recreation

Attachments: Quality Farm

This item was PASSED on the consent agenda.

Enactment No: R-EN-105-2011

RES-11:151 A RESOLUTION TO CONTRACT WITH JONESBORO AUTO AUCTION, LLC FOR

SPONSORSHIP OF A OUTFIELD SIGN AT SOUTHSIDE SOFTBALL COMPLEX

Sponsors: Parks & Recreation

<u>Attachments:</u> <u>Jonesboro Auto Auction</u>

This item was PASSED on the consent agenda.

Enactment No: R-EN-106-2011

RES-11:155 A RESOLUTION TO CONTRACT WITH CARTER'S CORNER FOR

SPONSORSHIP OF A OUTFIELD SIGN AT SOUTHSIDE SOFTBALL COMPLEX

Sponsors: Parks & Recreation

Attachments: Carter's Corner

This item was PASSED on the consent agenda.

Enactment No: R-EN-107-2011

RES-11:156 A RESOLUTION TO CONTRACT WITH MR. TROPHY & ENGRAVING FOR

SPONSORSHIP OF A OUTFIELD SIGN AT SOUTHSIDE SOFTBALL COMPLEX

Sponsors: Parks & Recreation

Attachments: Mr. Trophy & Engraving

This item was PASSED on the consent agenda.

Enactment No: R-EN-108-2011

RES-11:157 A RESOLUTION TO CONTRACT WITH BONO LOCO FOR SPONSORSHIP OF A

CONCESSION STAND SIGN AT JOE MACK CAMPBELL PARK

Sponsors: Parks & Recreation

Attachments: Bono Loco

This item was PASSED on the consent agenda.

Enactment No: R-EN-109-2011

RES-11:158

A RESOLUTION TO THE CITY OF JONESBORO. ARKANSAS TO ACCEPT THE LOW BID AND ENTER INTO A CONTRACT WITH ALVIN CRABTREE DBA ALVIN CRABTREE & SON FOR THE 2011 BELT STREET ACCESS TO TRANSIT

PROJECT

Sponsors: JETS and Engineering

Contract Documents.pdf Attachments:

Bid 2011-37 JETS Sidewalk Tabulation.pdf

Certification.pdf

This item was PASSED on the consent agenda.

Enactment No: R-EN-110-2011

A RESOLUTION TO CONTRACT WITH LIBERTY BANK OF ARKANSAS FOR RES-11:159

SPONSORSHIP OF FIVE SCOREBOARD SIGNS AT SOUTHSIDE SOFTBALL

COMPLEX

Sponsors: Parks & Recreation

Liberty Bank of Arkansas Attachments:

This item was PASSED on the consent agenda.

Enactment No: R-EN-111-2011

A RESOLUTION TO CONTRACT WITH ALLIED CORPORATE FURNITURE FOR RES-11:161

SPONSORSHIP OF A OUTFIELD SIGN AT SOUTHSIDE SOFTBALL COMPLEX

Parks & Recreation Sponsors:

Allied Corporate Furniture Attachments:

This item was PASSED on the consent agenda.

Enactment No: R-EN-112-2011

NEW BUSINESS

ORDINANCES ON FIRST READING

AN ORDINANCE TO WAIVE COMPETITVE BIDDING AND AUTHORIZING THE ORD-11:063

PURCHASE OF SIEMENS' TACTICS CENTRAL TRAFFIC MANAGEMENT

SOFTWARE

Sponsors: Engineering

Quote.pdf Attachments:

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

Councilman Street explained this is for traffic signal coordination and will ease congestion at some of the major intersections.

Councilman Street motioned, seconded by Councilwoman Williams, to suspend the

rules and waive second and third readings. All voted aye.

A motion was made by Councilman John Street, 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; Tim

McCall;Gene Vance;Chris Gibson;Rennell Woods;Mikel Fears and

Charles Coleman

Absent: 1 - Mitch Johnson

Enactment No: O-EN-049-2011

ORD-11:064

AN ORDINANCE AMENDING THE STORMWATER MANANGEMENT REGULATIONS TO INCLUDE ADDITIONAL DEFINITIONS AND FOR CLARITY PURPOSES

Sponsors: Engineering

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

Councilman Street requested the ordinance be held at one reading.

Councilman Street motioned, seconded by Councilman Frierson, to amend the ordinance. The ordinance is to be amended by striking "the total volume" from Section 4 (2) paragraphs (a) and (b). Councilman Street explained it is not a federal requirement to have total volume and he did not want to make things more difficult for the developers than what the federal government requires. All voted aye to amend the ordinance.

ORD-11:066

AN ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE CITY OF JONESBORO, ARKANSAS, CHAPTER 117, ZONING; BY MODIFYING SECTIONS 117-2 DEFINITIONS, AND SECTION 117-324 PARKING SURFACING, REGULATING THE INSTALLATION OF ALTERNATIVE PARKING SURFACING ON PROPERTIES WITHIN THE CITY LIMITS

Sponsors: Planning and Engineering

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

Councilman Street motioned, seconded by Councilman Gibson, to suspend the rules and waive second and third readings. All voted aye, with the exception of Councilman Vance who abstained from voting.

After adoption of the ordinance, Councilman Gibson motioned, seconded by Councilman Moore, to adopt the emergency clause. All voted aye, with the exception of Councilman Vance who abstained.

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

Aye: 10 - Darrel Dover; Ann Williams; Charles Frierson; Chris Moore; John Street; Tim

McCall; Chris Gibson; Rennell Woods; Mikel Fears and Charles Coleman

Absent: 1 - Mitch Johnson

Abstain: 1 - Gene Vance

Enactment No: O-EN-050-2011

ORD-11:075

AN ORDINANCE TO AMEND CHAPTER 117, ARTICLE III, KNOWN AS THE ZONING ORDINANCE PROVIDING FOR CHANGES IN ZONING BOUNDARIES FROM R-1 TO C-3 LUO FOR PROPERTY LOCATED AT 3012 PARKWOOD DRIVE AS REQUESTED BY ROGER BARNHILL

Attachments: Plat

MAPC Report

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

City Planner Otis Spriggs explained the property is adjacent to proposed Aldi's property on Stadium and will be used for additional parking. This property will allow for additional parking and the staff recommends the rezoning. Councilman Vance clarified the proposed rezoning will become part of the other Aldi's property. Mr. Spriggs answered yes, all of the parcels will become one.

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

Aye: 11 - Darrel Dover; Ann Williams; Charles Frierson; Chris Moore; John Street; Tim

McCall;Gene Vance;Chris Gibson;Rennell Woods;Mikel Fears and

Charles Coleman

Absent: 1 - Mitch Johnson

ORD-11:077

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 FOR PROPERTY LOCATED AT 2807 STADIUM AS REQUESTED BY G&P DEVELOPMENT

Attachments: Plat

MAPC Report

Application for Zoning Ordinance Map Amendment

Development Plan

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

Mr. Spriggs explained the property will be a planned commercial district. There were some concerns about access management, but those concerns will be addressed by the Planning Commission.

This item was Held at one reading.

7. UNFINISHED BUSINESS

ORDINANCES ON THIRD READING

ORD-11:058

AN ORDINANCE ESTABLISHING AN ADOPT A STREAM PROGRAM AND ADOPTING GUIDELINES AND POLICES FOR PUBLIC PARTICIPATION IN LITTER REMOVAL FROM PUBLIC DRAINAGEWAYS IN THE CITY OF JONESBORO

<u>Sponsors:</u> Engineering

Attachments: Adopt a Stream - Agreement.pdf

Adopt a Stream - Guidelines.pdf

Adopt a Stream - Policy Statement.pdf

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; Tim

McCall;Gene Vance;Chris Gibson;Rennell Woods;Mikel Fears and

Charles Coleman

Absent: 1 - Mitch Johnson

Enactment No: O-EN-051-2011

ORD-11:059

AN ORDINANCE TO AMEND SECTION 9.2 OF THE STORMWATER DRAINAGE DESIGN MANUAL WITH REGARDS TO NONRESIDENTIAL STRUCTURES IN ZONES AE, AH, AO, AND A

Sponsors: Engineering

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

Ave: 11 - Darrel Dover; Ann Williams; Charles Frierson; Chris Moore; John Street; Tim

McCall; Gene Vance; Chris Gibson; Rennell Woods; Mikel Fears and

Charles Coleman

Absent: 1 - Mitch Johnson

Enactment No: O-EN-052-2011

ORD-11:067

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-2 TO RM-16 LUO FOR PROPERTY LOCATED AT 3813/3815 EAST HIGHLAND DRIVE AS REQUESTED BY DUYEN TRAN

Attachments: Plat

MAPC Report

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; Tim

McCall;Gene Vance;Chris Gibson;Rennell Woods;Mikel Fears and

Charles Coleman

Absent: 1 - Mitch Johnson

Enactment No: O-EN-053-2011

8. MAYOR'S REPORTS

Mayor Perrin reported on the following items:

The federal grant audit is done. There were no items found in the audit. They will provide the report to the Council once they receive it.

He, along with Assistance Parks Director Wixson Huffstetler and Softball Coordinator Sharon Turman, visited Springdale and looked at the Miracle Field. They are looking at putting one at Southside Softball Complex.

Tomorrow at 10 a.m. the Highway Commission will be putting up the new population signs. He invited the Council to attend. They will start at the sign by Nestle and go down Highway 63.

Bids will be sent out in October for the Valley View sidewalk project.

The fuel depot at the Dan/Lacy public works facility should be started this week. All buildings are currently under construction.

The new fire station on Harrisburg Road is still in progress.

The 2012 budget is underway. The departments will have their budgets in by Friday, then they will start meeting with each department.

The non-uniform pension plan will be discussed at the Finance meeting on September 27th.

The flashing lights on Church Street near Blessed Sacrament will be moved to Highland Drive near the new school.

The ward boundaries have been redrawn. The proposed redistricting map has been distributed to the Council members. Each district is +/- 1% of the total population. They are working on the ordinance to present to the Council.

The fair housing seminar will be held September 27th at 6:00 p.m. in the Huntington Building.

COM-11:074

Financial reports as presented to the City Council on September 20, 2011.

Attachments: 2011 August State Turnback Budget Comparison

2011 City Sales Tax Revenue - Cash Basis

2011 County Sales Tax Revenue - Cash Basis

2011 Expense Report

2011 Hotel Occupancy Tax

2011 Hotel Occupancy Tax Comparison

2011 Revenue Report

2011 Sales Tax Revenue (Combined)- Cash Basis

2011August State Turnback Report

Deposit Collateralization Report

Franchise Fees Comparison

Public safety tax vs Public Safety Expenditures

Required Reserves-8-31-11

Stmt of Rev Exp and Changes in FB-8-31-11

Through August, revenues exceeded expenditures by \$1,182,000. Some of the money is extra income due to the sale of buildings. Alcohol beverage tax is up 25.2%. State turnback is up 5.63%. Hotel/motel tax is up 3.04%.

They have sold \$181,050 in sponsorships at the parks.

This item was Read.

9. CITY COUNCIL REPORTS

Councilman Fears stated he has been getting a lot of questions regarding the construction at Old Paragould Road and Aggie Road. City Engineer Craig Light explained construction is nearly complete. They are working on the tie-ins with Aggie Road

COM-11:075

Resolution from the Board of Directors of the Sage Meadows Property Owners Association

Attachments: Property Owners Association Resolution

Councilman Gibson stated he and the Mayor were presented with a resolution from the property owners association at Sage Meadows concerning development issues. He read the resolution to the Council.

City Attorney Phillip Crego explained he met with the Mayor and Councilman Gibson. He stated he does not recommend the issuance of a moratorium. He further explained moratoriums have to be narrow in scope and short in duration and the requested moratorium will be neither. He noted development is privately driven and the City, to his knowledge, has no plans to construct a city street in the Sage Meadows area. Mr. Crego explained he does not think it would be wise for the Council to enact this moratorium and go against code. He added if the City had plans to construct a road in the area, then the issue could be revisited because the scope could be narrowed and there would be a defined amount of time.

This item was further discussed under Public Comments.

This item was Read.

Councilman Frierson motioned, seconded by Councilman Moore, to suspend the rules and add ORD-11:074, RES-11:165 and RES-11:166 to the agenda. All voted aye.

ORD-11:074

AN ORDINANCE TO WAIVE COMPETITIVE BIDDING AND AUTHORIZE PURCHASE OF A 2007 CHEVROLET DUMP TRUCK FROM STONEBRIDGE CONSTRUCTION.

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

Councilman Frierson noted the money for the dump truck purchase is in the budget. Mr. Huffstetler explained the truck is needed for the Cemetery Department and will be able to fit between head stones. The Street Department mechanics have already checked the truck out and everything looked good.

Councilman Frierson motioned, seconded by Councilwoman Williams, to suspend the rules and waive second and third readings. All voted aye.

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

A motion was made by Councilman Charles Frierson, 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; Tim

McCall;Gene Vance;Chris Gibson;Rennell Woods;Mikel Fears and

Charles Coleman

Absent: 1 - Mitch Johnson

Enactment No: O-EN-054-2011

RES-11:165 A RESOLUTION TO CONTRACT WITH ARKANSAS RUSH SOCCER CLUB

Sponsors: Parks & Recreation

Attachments: Rush soccer contract 11-12

Mr. Huffstetler explained Rush used to contract out the soccer program through Craighead County Soccer, but the City has taken it on. Rush is a traveling soccer recreation league. Right now, there are about 1,100 kids playing soccer every Saturday.

A motion was made by Councilman Charles Frierson, 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; Tim

McCall;Gene Vance;Chris Gibson;Rennell Woods;Mikel Fears and

Charles Coleman

Absent: 1 - Mitch Johnson

Enactment No: R-EN-113-2011

RES-11:166

RESOLUTION AUTHORIZING PURCHASE OF DEMAND RESPONSE SOFTWARE FOR JETS FROM ROUTEMATCH

Sponsors: JETS

JETS Director Steve Ewart explained the software will allow them to be more efficient and economical and provide better services to the community.

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

Aye: 11 - Darrel Dover; Ann Williams; Charles Frierson; Chris Moore; John Street; Tim

McCall;Gene Vance;Chris Gibson;Rennell Woods;Mikel Fears and

Charles Coleman

Absent: 1 - Mitch Johnson

Enactment No: R-EN-114-2011

10. PUBLIC COMMENTS

Delane Hogan, 4504 Lochmoor, represented the Sage Meadows Property Owners Association. He explained he was not surprised by the City Attorney's recommendation concerning the previously discussed Sage Meadows issue. He added they have legal representation, but decided against having him present at the meeting tonight. He referred to the resolution read during City Council Reports and stated they do not have a problem with future building permits for ingress/egress at

the front of the Sage Meadows. He thanked the Mayor and City Council for allowing them time to voice their concerns.

He further explained the City can control what goes on in the City and they are asking for help to find a resolution to this problem. He discussed the construction of Sage Meadows and stated their issue is with Phase 2-C not having an ingress/egress like what was originally planned for the back of the area. He noted Phase 2-C was approved by MAPC and City Council, but as it's being built now it will not have the ingress/egress like the plans show. Mr. Hogan stated there are 1,500 residents in Sage Meadows, which is larger than the City of Brookland. He expressed concern about the effects of the front entrance not being accessible in the event of a major disaster. He questioned how public safety officers would get in to help residents if the only entrance in Sage Meadows was blocked.

He stated condemnation action has been discussed, which the developer may like because it would save him the cost of building the road himself. He noted that while construction of the road would be costly, it would be worth it if it saved lives.

Councilman Gibson, who is also a resident of Sage Meadows, stated he agrees with Mr. Hogan and suggested at the last Property Owners Association meet with County Judge Ed Hill in regards to getting a courtesy grade done on the road. After looking at the road, it was determined that it could not be graded.

Councilman McCall questioned how the ingress/egress could be planned for in the maps, but not actually constructed. Councilman Moore also questioned if they had to post bond for construction of the road since they started developing Phase 2-C. City Planner Otis Spriggs stated the MAPC has approved the subdivision in Phase 2-C up to a certain point and it's been the position of Planning, Engineering and Administration that when development started they would deal with posting of a performance bond to have the rest of the street paved. He added at this time, the phasing of the development has not occurred as fast as they would have preferred but they all support the fact that additional ingress/egress is needed. Councilman Fears questioned whether MAPC saw this type of issue coming. Mr. Spriggs stated MAPC today would not have made the same decision as they did when the development of Sage Meadows was originally approved without an alternative access.

Councilman McCall reiterated his question as to what happened during the processes that allowed for a second road not being built. Mr. Spriggs stated it was due to the way development was done in the past. City Attorney Crego also reiterated that the issue is valid, but it should be addressed through the City's current code not through a moratorium. Councilman McCall stated there is the possibility that due to the current code a second road could be made in Phase 2. Mr. Spriggs answered yes, and that would be discussed via the Planning Commission.

Mayor Perrin stated they will look into the issue.

Ms. Eloise Stanley, a resident of Sage Meadows, stated they understood they would have curb and gutter to the end of their property but it has not been done. The builder informed them it wouldn't be done, so they got the plans from the City and found out the work was supposed to be done in 2009. Then, they were told the work would be done by August 31 of this year, but it has not been done yet. Ms. Stanley stated it is a safety and convenience concern. She asked that the person responsible for the improvements do what they are supposed to do. She then asked that the City enforce what they approved to be done.

11. ADJOURNMENT

A motion was made by Councilman Chris Moore, seconded by Councilman Chris Gibson, that this meeting be Adjourned. The motion CARRIED by a Voice Vote.

Aye: 11 - Darrel Dover; Ann Williams; Charles Frierson; Chris Moore; John Street; Tim

McCall;Gene Vance;Chris Gibson;Rennell Woods;Mikel Fears and

Charles Coleman

Absent: 1 - Mitch Johnson

Harold Perrin, Mayor	Date:	
Attest:		
Donna Jackson, City Clerk	Date:	